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The Power of the Popes ;
OR,
AN HISTORICAL ESSAY
ON
THEIR TEMPORAL DOMINION,
THE ABUSE OF THEIR SPIRITUAL AUTHORITY,
AND THE
WARS THEY HAVE DECLARED AGAINST SOVEREIGNS.

*Containing very Extraordinary Documents of the Roman Court,
never before published.*

TRANSLATED FROM THE FRENCH.

The Two Volumes in One.

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1838.



TO
THE REV. RICHARD T. P. POPE,

AT WHOSE SUGGESTION IT WAS UNDERTAKEN,

THIS TRANSLATION

OF

THE PAPAL POWER

IS INSCRIBED,

as a small tribute of respect and regard,

BY

HIS AFFECTIONATE FRIEND,

THE TRANSLATOR.

ROY WEBB
CLUB
YRAGALL

TRANSLATOR'S PREFACE.

THE Work of which the following is a translation, had its origin in the transactions which took place between Pius VII. and the French Emperor, relative and subsequent to the restoration of the Roman Catholic religion in France. Its object appears to have been, to exhibit to the world the unreasonable pretensions of the Roman Court, and to appeal to public opinion for support in resisting claims deemed incompatible with the independence of the civil power, and derogatory to the honour of the French throne. In pursuance of this object, an investigation was entered into, to ascertain with precision the line of demarcation which separated the recognized authority of the Papal See in France, from the rights appertaining to the civil power, and the indisputable privileges of the French Church. This investigation naturally led the enquiry up to a remote period, and

the present work may be considered an epitome of the political history of the Roman Court, and of its relations with the other Courts of Europe, from the period in which its spiritual authority began to merge into temporal power, down to the occasion of the present essay in the pontificate of Pius VII.

In the former period of this enquiry, the pages of early history afforded the materials from which the requisite information was to have been derived. This source was open to all; and the merit of the work is here confined to the discrimination exercised in the selection of the scattered parts, and the judgment with which they may be found combined into an uniform whole.

In the latter period, the advantages possessed by the author were peculiar and important. Access to the papal archives appears to have opened to him abundant sources of information, which a patient investigation enabled him to avail himself of, in applying those documents, otherwise perhaps destined to oblivion, to the illustration of the object which he had in view. These documents give to this portion of the work a peculiar interest. For, though the period to which they relate is recent, the

circumstances in which Europe was placed during the transactions more immediately referred to, and the extraordinary revolutions to which both public opinion and political institutions were subjected, not only give to it the charm of novelty, but confer on it an interest similar to that derived from the dust of antiquity. Whatever the defects of the translation, it will I trust be found a valuable addition to our historical records, and a source of much useful and interesting information.

R. T. H.

Montmorenci, 1825.

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TO THE THIRD EDITION, ORIGINAL.

WE have introduced into this Third Edition some developements which were not in the two former. We have inserted many justificatory pieces, some of which have never before been published. These pieces, and the reflections induced by them, occupy the second volume, which is divided into three parts, containing :

1. Exposition of the Maxims of the Court of Rome, since the fabrication of the False

Decretals, and especially from the time of Gregory VII. to the present day :

2. Exposition of the Maxims of the Gallican Church, from St. Louis to the Emperor Napoleon :

3. Exposal of the actual conduct of Pius VII. with some observations on the effects it may produce.

HISTORICAL ESSAY,

&c. &c.

CHAPTER I.

ORIGIN OF THE TEMPORAL POWER OF THE POPES.

WHOEVER has read the Gospel, knows that Jesus Christ founded no temporal power, no political sovereignty. He declares that his kingdom is not of this world ;⁽¹⁾ he charges his apostles not to confound the mission he gives them, with the power exercised by the princes of the earth.⁽²⁾ St. Peter and his colleagues are sent not to govern but to instruct ;⁽³⁾ and the authority with which they are clothed, consists only in the knowledge and the benefits they are to bestow. Faithful to confining themselves within the bounds of so pure an apostolat, far from erecting themselves into rivals of the civil power, they, on the contrary, proclaimed its independence and the

(1) John xviii. 36. (2) Luke xxii. 25. (3) Matt. xxviii. 20.

sacredness of its rights:(¹) obedience to sovereigns is one of the first precepts of their pious morality. To resist governments is, they say, to offend the Ruler of the world, and take up arms against God himself.(²)

The successors of the apostles for a long time held the same language: they acknowledged no power superior to that of sovereigns but Divine Providence itself.(³) They subjected to kings all the ministers of the altar, levites, pontiffs, evangelists, and even prophets.(⁴) God alone was, immediately and without mediator, the only judge of kings; to him alone belonged their condemnation: the Church addressed to them only supplications or respectful advice;(⁵) she exercised empire only through the

(1) Rom. xiii.

(2) Qui resistit potestati, Dei ordinationi resistit; qui autem resistunt, ipsi sibi damnationem acquirunt.

(3) Chrysostom. Comm. on Epistle to the Romans.

(4) Deum esse solum in cujus solius, imperatores sunt potestate, à quo sunt secundi, post quem primi ante omnes.—Colimus imperatorem ut hominem à Deo secundum, solo Deo minorem.—*Tertull.*

(5) Quod rex delinquit, soli Deo reus est.—*Cassiodorus*. Si quis de nobis, ô rex, justitiæ tramitem transcendere voluerit, à te corrigi potest: si verò tu excesseris, quis te corripiet, quis te condemnabit, nisi is qui se pronunciavit esse justitiam?—*Gregor. Turon. ad Chilpericum*. Reges non sunt à nobis graviter exasperandi, divino judiciò sunt reservandi.—*Yvo. Carnot.* See Bossuet's reflections on these various texts of Scripture, and of the fathers. *Def. Cler. Gall.* par. 2. b. 6. ch. 13, 18, 26, 31, 32.

medium of her virtues,⁽¹⁾ and possessed no other inheritance than that of faith.⁽²⁾ These are the very expressions of the holy fathers, not only during the three first centuries, but subsequent to Constantine, and even after the time of Charlemagne.

Every one knows, that previous to Constantine, the Christian churches had been but individual associations, too frequently proscribed, and at all times unconnected with the state. The popes, in these times of persecution and of ferment, most assuredly were far from aspiring to the government of provinces: they were contented in being permitted to be virtuous with impunity; and they obtained no crown on earth save that of martyrdom.

From the year 321, Constantine allowed the churches to acquire landed property, and individuals to enrich them by legacies. Here we behold, in all probability, says the President Henault, what has given rise to the supposition of Constantine's donation.⁽³⁾ This donation preserved its credit for such a lapse of time, that in 1478 some Christians were burned at Strasburgh for daring to question its authenticity. In the twelfth century, Gratian and Theodore Balsamon copied it into their canonical

(1) Pelag. 1 Concilior. vol. 5. p. 803. Greg. Mag. vol. 2. p. 675, 676, 677.

(2) Nihil ecclesia sibi nisi fidem possidet.—*Ambros. Op.* tom. 2, p. 837.

(3) Abr. Chron. History of France, years 753, 754, 755.

compilations; and St. Bernard did not consider it apocryphal⁽¹⁾ It had its origin before the tenth century, notwithstanding what many critics say: for in 776 Pope Adrian avails himself of it in an exhortation to Charlemagne. But, in 755, Stephen II. had also an open to make use of it, as we shall shortly see; but as he neither mentions it, nor refers to it in any way, it follows that it was unknown to him as it had been to all his predecessors. It was therefore after the middle, and before the end of the eighth century, that it must have been fabricated. For the rest, the falsity of this piece is according to Fleury more universally recognized than that of the decretals of Isidore: and if the donation of Constantine could still preserve any credit, to strip it of such credit, it would be sufficient to transcribe it: here follow some lines:

“ We attribute to the see of St. Peter all the dignity, all the glory, all the authority of the imperial power. Furthermore we give to Sylvester and to his successors our palace of the Latran, which is incontestibly the finest palace on earth; we give him our crown, our mitre, our diadem, and all our imperial vestments: we transfer to him the imperial dignity. We bestow on the Holy Pontiff

(1) De Consider. ad Eugen. book 4. ch. 4.—Dante de Monarchiâ, book 3, proves that this donation could not bind the successors of Constantine; he declares it null, but without disputing its authenticity.

" in free gift the city of Rome and all the western
 " cities of Italy; also the western cities of every
 " other country. To cede precedence to him, we
 " divest ourselves of our authority over all those
 " provinces, and we withdraw from Rome, trans-
 " ferring the seat of our empire to Byzantium;
 " inasmuch as it is not proper, that an earthly
 " emperor should preserve the least authority, where
 " God has established the head of his religion."⁽¹⁾

The respect which we owe to our readers, forbids
 all observation on such palpable absurdities: but
 we have believed it not altogether useless to relate
 them here, as they may give an idea of the means
 resorted to in the eighth century to establish the
 temporal power of the popes. They also furnish a
 standard of the public ignorance during the suc-
 ceeding centuries, in which this strange concession,
 revered by the people, and even by their kings,
 effectually contributed to the developement of the
 power of the Holy See. But we must also state,
 that at the restoration of literature the first rays of
 light sufficed to dissipate so contemptible an
 imposture. Laurence Valle having demonstrated,
 towards the middle of the fifteenth century, the falsity
 of this donation, the best writers of the sixteenth,
 even those of Italy, treated it with the contempt it
 deserved. Ariosto energetically expresses the con-

(1) Fourth Discourse on Ecclesiastical History, n. 9.

(2) A copy of this donation will be found in the 2d volume.

tempt into which it had fallen,⁽¹⁾ and places it among the various chimeras which Astolphus meets with in the moon.

Four hundred and sixty-three years had passed from the death of Constantine in 337, to the coronation of Charlemagne in 800. Now during all this period, no epoch, no year, can be specified, in which the popes exercised sovereign authority. The immediate successors of Constantine reigned, as he did, over Italy : and when on the death of Theodorus two empires arose out of one, Rome, the metropolis of the west, continued to be governed still by an emperor. Then, as all historians attest, the popes assumed apostolic functions alone ; they were not reckoned in the number of the civil magistrates ; although their election, the work of the people and of the clergy, was obliged to be confirmed by the prince. When they sought from their creed and the exercise of their spiritual ministry, an independence which they did not always obtain, they rendered homage to that of the civil power, and did not claim any of its properties.

In 476 the Western Empire fell : Augustulus was dethroned ; the Heruli, the Ostrogoths, and other barbarians, invaded and laid waste Italy. Rome

(1)

Or puzza forte :

Questo era il dono, se pero dir lece,
Che Costantino al buon Silvestro fece.

Orl. Fur. 14th chap. 8th stanza.

This was the gift, with reverence be it said,
Which Constantine to good Sylvester made.

was governed by Odoacre down to 493, by Theodoric to 526, and, during the twenty-seven succeeding years, by Theodat, Vitiges, Totila, or the generals of the Eastern Emperors. It is necessary to observe here, that the sovereignty of these emperors over Italy, and especially over the city of Rome, had been acknowledged by Odoacre and by Theodoric, and sometimes even by their successors.⁽¹⁾ But in 553, the victory of Narses over Theia restored to the Greek emperors an immediate sovereignty over the Roman territory and the neighbouring countries. Thus terminated seventy-seven years of wars and revolutions, during which the popes neither obtained nor aspired to the exercise of any temporal authority. Theodoric, in 498, confirmed the election of Pope Symmachus;⁽²⁾ and when, in the year 500, this pope was accused by his enemies, the decision of the matter was referred to Theodoric.⁽³⁾

From 553 to 567, Narses governed Italy in the name of the emperors of Constantinople. Shortly after his death, the Lombards, led by Alboin, made themselves masters of the northern parts of Italy, and there founded a kingdom, which lasted about two hundred years. The other regions of Italy remained more or less under the authority of the emperors of the East, which was administered by the Exarchs of Ravenna.

(1) St. Marc. Abridged History of Italy, vol. 1. p. 1 to 129.

(2) Anastas. Biblioth. of the Lives of the Roman Pontiffs, p. 84.

(3) Fleury. Eccles. Hist. b. xxx. n. 1.

The exarch was a governor general, to whom the dukes, prefects or patricians, and also the governors of particular territories or cities, were subordinate. From the exarch or the emperor they sought the ratification of the election of each bishop of Rome: this is a fact of which the proof exists in an ancient collection of the formulas of the Romish Church.⁽¹⁾ Once only, at the election of Pelagius II. in 577, they dispensed with the consent of the emperor, because the Lombards besieged Rome, and cut off the communication with Constantinople. Paul Diacre, in speaking of Gregory the Great, who in 590 succeeded Pelagius II. says expressly, that it was not permitted to instal a pope without the order of the Greek emperor.⁽²⁾ A letter of Martin I. to

(1) *Liber decimus Romanorum Pontificum*. Pere Garnier, a Jesuit, published an edition of it at Paris, in 1680. This collection had been published before by Holstenius, and was suppressed by the Court of Rome.—Sec. on the Dependence of the Popes, 3d and 4th heads.

(2) *Non enim licebat tunc temporis quemlibet in Romanâ civitate ad pontificatum promovere absque jussione imperatoris.*—*Paul Diac. l. 3, c. 4.*

Gregory I. called 'the Great.' has rendered frequent homage to the civil authority; but letters have been fabricated, under his name, in which he declares, that every king, every prelate, every judge, who shall neglect to ascertain the privileges of the three monasteries of Autun, and those of the Abbey of St. Medard de Soissons, shall be deprived of his dignity, and condemned, like Judas, to the pit of hell, unless he do penance, and become reconciled with the monks.—*See Maimbourg. Historical Treatise on the Church of Rome, chap. 20.*

the emperor thus commences : " Martin, bishop, to
 " the emperor our most serene lord," and ends with
 these words : " May the grace from above preserve
 " the very pious empire of our lord, and bow the
 " neck of all nations unto him."⁽¹⁾ Thus a pope
 expresses himself who, imprisoned, exiled, and de-
 posed by Constantius, never disputed the rights of
 the sovereign who treated him with so much rigour
 and even injustice. When this emperor, Constan-
 tius, came to Rome in 662, the pope, Vitalien, paid
 him the homage of a faithful subject.⁽²⁾

Two apostolic nuncios, stationed, the one at Con-
 stantinople, the other at Ravenna, offered to the
 emperor and to the exarch the respect, devotion, and
 tribute of the Roman pontiff. Pope Leo II. towards
 the year 683, writing to Constantine Pogonat, calls
 him his king and lord.⁽³⁾ In 686 and 687, the
 elections of the popes Conon and Sergius were con-
 firmed, the one by the Exarch Theodoric, the other
 by the Exarch Platys, who exacted from Sergius a
 large sum, although this description of tribute had
 been abolished by the Emperor under the pontificate
 of Agathon.⁽⁴⁾ In 710 Pope Constantine, ordered to
 Constantinople by Justinian the Second, hastened

(1) Morin. History of the Origin and Progress of the Power
 of the Popes, p. 664,

(2) Fleury. Ecclesiastical Hist. b. 39, n. 33.

(3) Morin. History of the Origin and Progress of the Power
 of the Popes, p. 664.

(4) Anast. Hist. de vit. Rom. Pont. pages 147, 149.

to obey this superior order.⁽¹⁾ We shall only cite a letter written by the Pontiff to the Duke of Venice in 727 :⁽²⁾

“The city of Ravenna having been taken, because
 “of our sins, by the wicked nation of the Lombards,
 “and our excellent master, the Exarch, being, as
 “we are informed, retired to Venice, we conjure
 “your Highness to unite with him, in order to re-
 “store the city of Ravenna to the imperial domi-
 “nion ; to the end that we may, by the Lord’s as-
 “sistance, remain inviolably attached to Leo and
 “Constantine, our august emperors.” The Pope
 who thus expresses himself, is Gregory the Second,
 one of those who may be suspected of having been
 amongst the first, who sought to extend, beyond
 the bounds of the apostolat, the pontifical authority.
 His letter at least proves that the imperial sove-
 reignty was then a right universally acknowledged ;
 a public and undeniable fact.

It is however in the eighth century, and a short
 time after the date of this epistle, that we perceive,
 not the establishment certainly, but the first symp-
 toms of the temporal power of the Roman prelates.
 The various causes which could tend to this result,
 about this period begin to be perceptible, and to acquire
 additional strength from their combined operation.

• The first of these causes consisted in the vast ex-
 tension of all the ecclesiastical institutions. Many

(1) Fleury. Ecclesiastical Hist. b. 41, no. 22.

(2) Baronius. Ecclesiastical Annals, vol. 13, p. 343.

popes, and other prelates, merited by their virtues and their talents the respect of the people and the esteem of their sovereigns: they obtained that imposing reputation, which, in the midst of public troubles and misfortunes, is the universal prelude to power. Zealous missionaries had spread the light of the gospel through most of the countries of Europe, and prepared, nay, forwarded, by religious instruction, the civilization of some barbarous nations. On all sides churches and monasteries arose and were enriched: the pious liberality of princes and private individuals increased every where, but especially at Rome, the treasures and estates of the clergy: their landed property acquired sufficient extent to be transformed insensibly into principalities; a metamorphosis but too easy under such weak governments and such vacillating legislation.—Let us add to these circumstances the frequency and the solemnity of the councils, the general interest which their decisions excited, and the almost inevitable collision of their discussions with the quiet or disordered state of political affairs. We may observe, in particular, that at the commencement of the eighth century, there did not exist any great empire save the Eastern; and, nevertheless, that the power of the Greek Emperors—limited in Asia by that of the Caliphs, weakened in the very heart of Constantinople by internal revolutions, represented at Ravenna by unfaithful or injudicious Exarchs—with

difficulty was upheld in Italy against the arms of the Lombards, and occasionally required to be defended by the influence of the Roman Pontiffs. In the mean while, the thrones which had been newly erected here and there by some barbarous conquerors, already tottered under their successors, whose ignorance, generally equal to that of their subjects, seemed to tempt the enterprises of the clergy. This clergy, though better informed than the common people, was not, however, sufficiently so to perceive the bounds of its proper functions under such circumstances, or to neglect profiting, at all hazards, by the opportunities offered to increase its power. When, in 681, a Council of Toledo loosed the subjects of Vamba from their allegiance to this prince, perhaps the thirty-five bishops who sat in this synod, neither perceived the weakness nor the monstrous disloyalty of such a sentence. Fleury was right to point out to us⁽¹⁾ this first example of a king deposed by bishops; but he might also have remarked, that so serious a novelty excited no reprehension—that kings complained not of it, and that no obstacle opposed the execution of this strange decree.

We may place in the catalogue of causes which favoured the ambition of the popes, the preposterous taste of the Greek Emperors for dogmatical controversies, and, the unfortunate part they incessantly

(1) Ecclesiastical History, b. 40, n. 34. and 3d disc. n. 10.

took in them. They thus provoked apostolic resistance, which, by its splendor and success, humbled in the eyes of the people the imperial authority. They beheld the doctrines of the pontiff exercising a solemn triumph over the edicts of the sovereign; and he, whose pastoral charges thus limited the civil authority, must have appeared competent to exercise it, the moment he ceased to disdain it. A sect was formed in Constantinople against the images, brought into disrepute in some places by the victories of the Mahometans over them. The Emperor Leo the Isaurian placed himself at the head of the Iconoclasts or Image-breakers: he published, at the same time nearly, an edict which prohibited the worship of every image, and the proposition of a new capitation-tax to be paid by the people of Italy. Pope Gregory the Second, become the defender of their *temporal and spiritual* interests, and their faith, addressed respectful but energetic letters to the emperor, to induce him to maintain in the churches an ancient and salutary practice. Leo replied only by menaces calculated to strengthen in the hearts of the Italians their love and veneration for the pontiff. What does Gregory do? he appears inattentive to his personal danger, but implores for the people and their prince the divine mercy he thunders no anathemas, but recommends good works, and sets himself the example of them; he desires especially that each may remain faithful to the head

of the empire, whatever may be the deviations of Leo, and perseveres in applying to him the terms of emperor and head of the Christians.⁽¹⁾ According to Gregory, it is God himself who preserves the empire to Leo the Image-breaker :⁽²⁾ a pontiff has no right, says this pope, to bestow crowns : his eye should not seek to penetrate into the palaces of kings : and it no more belongs to him to meddle in politics, than for a sovereign to become a teacher of dogmas in religion.⁽³⁾ The army, the people, Venice, Ravenna, all Italy revolted, says Paul Diacre, against Leo the Isaurian, and would undoubtedly have acknowledged some other emperor, if the Roman pontiff had not himself opposed it.⁽⁴⁾ Anastasius relates the same facts, and represents Gregory to us occupied in retaining the provinces in allegiance to their legitimate sovereign.⁽⁵⁾

It would be difficult for us to verify, after a lapse of

(1) Imperatorem et caput Christianorum. *Greg. 2d Ep. to Leo.*

(2) Vestri à Deo conservati imperii. *Ibid.*

(3) Pontifex introspectendi in palatia potestatem non habet ac dignitates regias deferendi.....Ecclesiis præpositi, sunt à negotiis reipublicæ abstinentes.—*Greg. 2.*

(4) Nisi eos prohibuisset pontifex, imperatorem super se constituere fuissent aggressi.—*Paul Diac. de Gest. Longob.*

(5) Omnis Italia consilium iniit ut sibi eligerent imperatorem et ducerent Constantinopolim. Sed compescuit tale consilium pontifex sperans conversionem principis. Ne desisterent ab amore et fide Romani imperii admonebat.—*Anast. Bibl. in vitâ Gregor.*

ten centuries, whether Leo really attempted, through the medium of his officers, the life of Gregory ; but no person in Rome, none in all Italy, doubted it ; and these abortive attempts excited general indignation, or contempt more dangerous still : on the contrary, when the Duke Peter is driven from Rome, when the Exarch Paul is killed at Ravenna, Gregory conducts himself so orderly that no one thinks of imputing these things to him. Liutprand, king of the Lombards, however, took advantage of these troubles to make himself master of Ravenna and many other places : in this conjuncture it was that Gregory wrote to the Duke of Venice the letter which we have already transcribed. Gregory did more, he negociated with Liutprand, he soothed him : but the King of the Lombards in abandoning the cities he had conquered and pillaged, was not disposed to restore them to the officers of the emperor ; he made them a present to the Roman Church, which abstained alike from an acceptance or refusal of them. Disconcerted by so much wisdom, Leo, the Isaurian, saw himself limited in his vengeance to detaching from the patriarchate of Rome the churches of Illyria, of Sicily, the duchy of Naples and of Calabria, in order to subject them to the patriarch of Constantinople. This was all the mischief he could do to Gregory II. who died without condescending to complain of it. Whatever Theophanes and other Byzantine authors may

say on the subject,⁽¹⁾ who have very severely animadverted upon this pontiff, there prevailed great moderation in his conduct; and if it was policy, it was so profound, that we are induced to ascribe it to good faith.⁽²⁾

(1) Cedrenus, Zonaras.

(2) This portion of the history of the eighth century, has been perfectly elucidated, by Bossuet. *Def. Cler. Gall.* "The time was not yet come, I shall be told, to display the pontifical power; and before resorting to violent remedies, the means of mildness and conciliation should be attempted." "Very well," replies Bossuet, "but if charity and christian prudence did not yet permit Gregory to make use of all his power, should they not, at least, have made a diversion, to afford a glimpse to this proud prince of its extent, in order to intimidate him, and prevent the execution of his criminal projects. For, behold the style of the menaces of the emperor, as we learn from this sainted pope: I will go to Rome and break the image of St. Peter, and I will take Pope Gregory away, in order to transport him hither loaded with chains, as Constantius did with Martin.—He proposed to imitate, then, the example of the heretical emperors and persecutors of the Holy Pontiff. Let us see what Gregory conceived it his duty to reply to a prince, who formed such impious projects, and who flattered himself he could execute them, by putting forth the full extent of the imperial power. Did Gregory say, he could, when he wished, deprive him of this power? He dreamed not of it; and for his whole defence, he declared he desired earnestly to receive the crown of martyrdom, as did the blessed Pope Martin, whose memory all believers honoured. How far then was he from thinking of revolt, of taking up arms, of repelling force by force, in fine, from pronouncing sentences of deposition! Perhaps our adversaries will make the trifling reply, that the Church, as yet too feeble, was not in a state to display all its powers. But it was the Empire, not the Church, which

His successor, Gregory the Third, conceived himself dispensed from so rigorous a circumspection: at the head of a council, he excommunicated the Emperor, not, indeed, by name but by not excepting him from the general sect of the Iconoclasts; and while Leo applied to himself this anathema, evidenced by the burst of anger with which he resented it; while he confiscated in Sicily the lands of the Roman church; while a fleet, dispatched by him against Italy, was perishing by shipwreck; the Pope laboured to create in the bosom of Rome an independent state, or, at least, one destined to become so. Some authors think they perceive, from the year 736, in the pontificate of Gregory the Second, a semblance of a Roman republic; and we may assure ourselves, at least, that in 730, a short time previous to the death of this pope, and apparently without his concurrence, the Romans formally erected themselves into a republic. But it was especially subsequent to the year 731, and down to 741,⁽¹⁾ that is to say, under the pontificate of Gregory III. that the expressions ‘republic of the Romans—republican association—body of the Roman army,’ were accredited;⁽²⁾ phrases which did not disappear

was weak in Italy.—See also Natalis Alex. in sec. 8th dissert. 1. Libeaus History of Low Empire, vol. 83, p. 368, 369.

(1) Anast. Bibl. in vitâ Gregorii III.

(2) Reipublica Romanorum, compages S. Reipublicæ corpus Christo delectum exercitûs Romani. Apud Anast.

till the year 800, and which, during the seventy preceding years, are very often employed, both in the acts of interior administrations, and in the negotiations with the Kings of the Lombards, or Mayors of the palace of Ferara. They always avoided the positive declarations which would have irritated the Court of Constantinople; in case of necessity they even acknowledged the supremacy of the Emperor, solicited his assistance, and received his officers: and the homage paid to the imperial authority, is the ground of the opinion of those authors who deny the existence of this republic.— Without doubt, it was but a shadow of a republic; but they loved to present themselves under this title to the sovereigns of the west of Europe: (1) it was a mode of ranking themselves secretly in the number of independent states, and of weakening still more the ties which held them to the Byzantine empire. Generally, the pope did not fill in person the office of first magistrate of this republic; he left the insignia of its power to a prefect, a duke, or a patrician; and prepared to substitute, in a short time, for these unstable forms, a definite and pontifical government.

(1) Gregory III. sent two ambassadors to the Mayor of the Palace, Charles Martel, to invite him to declare himself in favour of the Roman Republic against the Emperor of the East. Baronius ascribes the embassy of one of these to Gregory II.—an important mistake, which Bossuet has removed.—*Def. Cler. Gall.* p. 2. b. 6. ch. 18.

Another cause tended to, and even justified, the revolution which was going to take place in Italy against the authority of the Greek Emperors; this was, the almost absolute state of abandonment in which, for nearly two centuries, they left the provinces they possessed in this country. They kept no garrison in Rome, and this city, continually menaced by the Lombards, solicited more than once, through the organ of its dukes or its pontiffs, but in vain, the protection of the Exarch and the power of the Emperor. The Byzantine historians of this period scarcely ever speak of Italy: one of them, Theophylactus Simosatta, wrote the history of the empire from the year 582 to 802, without once naming Italy, Rome, or the Lombards. Deserted by their master, the Romans of necessity attached themselves to their pontiffs, who were generally Romans, and meriting such attachment. Fathers and defenders of the people, mediators between the great, and heads of the religion of the empire, the popes united in themselves the various sources of authority and influence which are conferred by riches, benefactions, virtue, and the high priesthood. They reconciled, or set at variance around them, the princes of the earth; and that temporal power, which as yet they possessed not, they could at pleasure strengthen or weaken in the hands of others.

Things being so disposed, it was inevitable but that occasions must have occurred, favorable to the

ambition of the Roman Pontiffs; or, rather, they had now need only of a more active ambition. While Zachary continued to pay homage to the sovereignty of the emperors, Liutprand made himself master of the exarchate, and his successor, Rachis, immediately after stipulated with the Romans for a peace of twenty years. Under the same pope, Pepin de-throned in France the Merovingian dynasty, submitted to the Holy See a famous case of conscience, and obtained from it a reply, which, absolving in the eyes of the people his audacious enterprise, placed in his hands a sceptre which he alone could wield. A short time after this wise reply,⁽¹⁾ Astolphus, the successor of Rachis, broke the truce of twenty years, conquered Istria, repossessed himself of Ravenna, which the Greek officers had re-entered, and drove them from it for ever. Eutychius, the last of the exarchs, took flight and retired to Naples; and every thing announced that the power of the emperors was about to be extinguished in Middle as it had been in Upper Italy. Astolphus, in fact, turned his arms

(1) It was a reply simply of opinion: and Bellarmine vainly endeavoured to convert it into an absolute decree which deposed Childerick III. Pepin owed his throne to his talents and his good fortune: he obtained it by the consent of the French, and not by the authority of the pope. See Natal. Alex. Dissert. 2. in Century 8. Dupin. Treatise on the Ecclesiastical power. pa. 245. Bossuet. Def. Cler. Gall. p. 2. book 6. ch. 34.—Eginhard says, Missiserat Burchardus et Foldeadus ut consulerent pontificem de causâ regum, &c.

against this Roman republic, in which the head of the empire still preserved some shadow of sovereignty. The Pope, Stephen II. supplicated Constantine Copronymus to relieve the city of Rome, by dispatching an army which might put the Lombards to flight and maintain in Italy the integrity of the empire and the honor of the imperial authority.⁽¹⁾ It is evidently as the sovereign of Rome that Stephen addresses Constantine. But Constantine, occupied in making war against images,⁽²⁾ directs Stephen to negotiate with Astolphus, and, if Astolphus was intractable, with Pepin king of the French. The pontiff proceeds into France; there, as minister of the Greek emperor, he gives, in 753, to Pepin and to his sons, the title of Roman Patricians, which Charles Martel had before borne: and received, they assert, in exchange, the gift of the provinces which Astolphus usurped, and which this same emperor claimed, in whose name Stephen negotiated. Pepin hesitated the less in bestowing them, as he was neither their possessor nor sovereign. Ambitious, however, to derive some advantage from his title of patrician, he passed the Alps in 754, besieged Pavia, and com-

(1) Id cum ipsius imperio perniciosum, tum nomine quoque apud posteros fore turpissimum.—*Sigonius Hist. regn. Ital. l. 3, p. 197.*

(2) Joannes Silentiarius à Constantino cum legatis pontificiis rediit, narrans imperatori placere ut ipse ad regem proficiscens, quantum precibus atque auctoritate proficere posset, experiretur,—*Sigon. ibid. p. 199.*

pelled Astolphus to promise that he would restore the Exarchate and the Pentapolis, not to the Emperor of Constantinople, but to St. Peter—to the Roman Church and Roman Republic. Vain promise! no sooner is King Pepin returned into France, than the Lombard king forgets his oaths, lays waste the environs of Rome, and labours to become master of the city. It was at this time, in 755, the pope wrote to the French monarch many letters, of which the one written in St. Peter's name, gives us to perceive, says Fleury,⁽¹⁾ “the genius of the age, and to what extent the most grave of mankind may carry fiction when they consider it useful.”

“Peter, called to the apostolat by Jesus Christ, “the Son of the living God, &c..... As by me the “Roman Church, of which Stephen is bishop, is “founded upon the stone.....I adjure you, O excellent Pepin, Charles, and Carloman, three kings, “and with you the bishops, abbess, priests, and “monks, and also the dukes, counts, and people.... “I adjure you, and with me the Virgin Mary, the “angels, the martyrs, and all the other saints adjure “you, not to suffer that my city of Rome, and my “people, be any longer left a prey to the Lombards.....If you obey me quickly, you shall in “this life receive an abundant recompense for it; “you shall overcome your enemies, you shall live

(1) Hist. Eccl. book 43. no. 17.

“ long, you shall eat the fat of the land, and you
 “ shall, besides, receive eternal life. If you obey
 “ me not, know that by the authority of the Holy
 “ Trinity and of my apostolat, you shall be deprived
 “ of the kingdom of God.”

It is most important here to remark, that this letter makes no mention either of the donation of Constantine, or that which Pepin-le-Bref has the credit of having made in 753, and renewed in 754. It is not the most feeble argument of those who dismiss to the rank of chimeras, the second as well as the first of these donations. They add, that the original title of Pepin's grant exists no where in the world—that no authentic copy of it can be produced—and that its directions, omitted by contemporary historians, are only known to us through Anastasius, who compiled his History of the Popes at the end of the ninth century, one hundred and thirty years after the death of Stephen II. The supporters of this grant confine themselves to asserting, that Anastasius declares his having seen the original of it, and cites besides the remains of an inscription preserved at Ravenna, without very scrupulously inquiring the era in which so mutilated a monument might have been erected.⁽¹⁾

(1) *Pipinus. pius. primus. amplificandæ. ecclesiæ. viam. aperuit. et. exarchatum. Ravennæ. cum amplissimis. Pere le Cointe cites the beginning of this inscription, and ends thus: Urbibus. territoriis. ac. seditibus. principi. apostolorum. ejus.*

Will they now ask us what the nature of the concession was which was made to the popes by Pepin-le-Bref: if he bestowed the absolute sovereignty or the mere administration; a secondary or delegated power, or the property only, and, as it is termed, the fee-simple of it? In default of a positive text which would offer an immediate reply to these questions, we have no other way of resolving them, but by continuing, even to the year 800, the examination of facts relative to the government of Rome and the authority of the popes. Now, it is certain, as we have stated, that during the fifty last years of the eighth century, the popes had never been sovereigns, seldom administrators. We have a series of letters in which they complain of the non-fulfilment of the promises of Pepin, and of the infidelity of the Lombard kings, who ravaged, or again seized on, the possessions of the church. Besides, Constantine Copronymus never renounced his rights: he offered to pay the expenses attending the victories of the French army over the Lombards, provided the places recovered from them were restored to him. Pepin, though very little disposed to comply with these requisitions, evaded characterizing the power which he exercised over the Roman republic by the title of patrician; leaving it undecided, whether he considered himself as actual sovereign, or as but pro-

qua. demum. successoribus. iubens. ac. volens. concessit. *Ann. Eccl. Fr.* vol. 5. p. 544.

visionally invested with the functions of the imperial authority. What is very remarkable is, that in fixing the limits of the states of this monarch, no French historian extends them beyond the Alps.⁽¹⁾

As to the popes, although their influence almost always swayed the authority of the deputies of the patrician, they did not as yet exercise a civil magistracy, properly so called, either regularly instituted or delegated. They continued to date from the reign of the emperors of Constantinople, and to call them their lords and masters. This is to be seen in an epistle written by Stephen II. in 757, a short time before his death;⁽²⁾ in a diploma subscribed the same year by Paul I. the brother and successor of Stephen;⁽³⁾ in a statute or rule of the same Paul in 758;⁽⁴⁾ in a letter which Adrian addressed, in 772, to the emperor, in transmitting to him the decision respecting a crime committed in the duchy of Rome;⁽⁵⁾ and in 785, in an epistle of the same Adrian to Constantine V. and his mother Irene.⁽⁶⁾ Many cities comprised in the pretended donation were governed,

(1) *Antiquit. S. Dionys. l. 2, c. 9.*

Regnabant inter Rhenum Ligerimque priores,

Ad Boream fuerat terminus oceanus,

Australemque dabant Balearica littora finem.

Alpes et tectæ perpetuis nivibus.

(2) *Ibid. l. 2. c. 3.*

(3) *Concil. vol. 6. p. 1619.*

(4) *Ibid. vol. 6. p. 1694.*

(5) *Fleury Hist. Eccles. l. 14. n. 2.*

(6) *Δισποταῖς ὑποβίβασταις . . . Κωνσταντίνῳ καὶ Εἰρήνῃ Αυγούστοις, Ἀδριανὸς δούλος τῶν δούλων τοῦ Θεοῦ.* *Concil. Vol. 7. p. 99.*

according to the instructions of Pepin, by the Archbishops of Ravenna, who seem to have succeeded the Exarchs, whose title remained unrevived.

Charlemagne, called by Adrian against Didier, king of the Lombards, blockaded Pavia, and renewed in Rome, in 774, the donation of Pepin.— This act, however, is no better authenticated to us than those of 753 and 754. There is no original document, no authentic copy, nor even unauthenticated one. It is Anastasius also, who, after one hundred years, specifies its conditions to us.

To Pepin's gift Charlemagne added, according to this Anastasius, Corsica, Sardinia, Liguria, Sicily, Venice, Beneventum; and deposited the chart, which was to enrich to this extent the Roman church, upon the tomb of the holy apostles Peter and Paul. Anastasius does not explain to us how Charlemagne bestowed provinces which he never possessed, and over which he had no right of sovereignty, not even that of conquest. Sicily and Sardinia were never in his possession: Venice, struggling more and more for independence, yet recognised in form the sovereign rights of the Greek emperors. A duke governed Beneventum, which had been ceded to the Holy See only in 1047 by Henry the Black. This cession of 1047, does not embrace the whole territory of Beneventum, and the deed by which it is transferred is besides not the most authentic: but what is to be noticed here is, that this act does not renew in any

way the pretended donation of Charlemagne; it makes no mention of it: on the contrary it implies, that the Court of Rome, for the first time, in 1047 is going to possess the city of Beneventum.

Another objection which Anastasius does not resolve, is, that after 774, the popes did not assume the government or administration of either Beneventum, Venice, Sicily, Sardinia, the Exarchate, or even the city of Rome. Charlemagne, the conqueror and successor of the Lombard kings, adds the title of King of Italy, to that of Patrician of the Romans. The sovereignty or supreme authority remained in his hands; he exercised it either by himself or by his delegates, received the homage of the pontiffs, invested himself with the right of confirming their elections, and subjected their possessions and their persons in such sort to his authority, that we cannot suppose him to have ceded to them anything more than the ownership or feudal tenure of their domains. The Duchy of Rome, the Exarchate, the Pentapolis, were comprised, by the historians of this prince, in the account of the states over which he ruled, previous to the year 800,⁽¹⁾ and Piga thinks proper to add Corsica to them.⁽²⁾ In 778, to Charles is referred the decision of the disputes which sprung up between the pope and the archbishop

(1) Eginhart. de Car. Mag. p. 91—96 of 5th vol. of Coll. of the Historians of France.

(2) Crit. Ann. Baronii ad Ann. 800. n. 11.

of Ravenna : the latter retained the administration of the Exarchate, perhaps from Charlemagne having tacitly authorised it. Many letters addressed to this monarch, by Pope Adrian, after the year 775, have been collected into the code of Charlemagne, they prove that Charles was not very desirous to invest the Holy Fathers with the temporal power. The donation of Constantine is mentioned in one of these epistles,⁽¹⁾ as we have already observed ; the name of the new Constantine is there promised to Charles, if he fulfils his engagements. But in 789, the pope complains of the delightful expectation held out to him, being still unfulfilled ; he again brings forward the donation of Pepin as an act remaining without effect. It appears, however, that Adrian, in the course of the six last years of his pontificate, did exercise some actual power, since we find coin bearing his name. But the dukes of Beneventum, and other delegated governors, exercised at the time the same privilege, with the consent of their sovereigns. A much greater number of medals were struck at Rome in the name of Charlemagne ;⁽²⁾ and appeals were made to his officers from the decisions passed by the popes.⁽³⁾

Charlemagne, before the end of the eighth century,

(1) Cod. Carol. Ep. Adriani VI. p. 550 of 5th vol. of Coll. of the Historians of France.

(2) Leblanc. Medals of Charlemagne, &c, p. 17.

3) Velly. History of France vol. 1. p. 399.

so little thought of investing the popes with a sovereign power, that he avoided, on the contrary, assuming to himself an absolute sovereignty over the city and territory of Rome. He did not dispute that of the Greek Emperors; and although he governed without receiving their commands, he left it to be supposed that he considered himself only as their representative. It is even conjectured, that in 781, he had received from Irene the letter which created him, in express terms, Patrician of the Romans. When Paul Diacon says, that Charles added Rome to his States from the year 774; it is according to Duquet an hyperbolical expression,⁽¹⁾ since Charles himself was satisfied with the simple patriciate. Theophanus ascribes only to the year 779, the commencement of the domination of the French, over the capital of Italy; and even he is not exact, as we shall shortly see, since he anticipates by a year, the absolute extinction of the sovereignty of the Greek Emperors over the Romans.

To measure the extent of the authority exercised by Charles in Rome, previous to the year 800, it is necessary to form an idea of the nature of the dignity of patrician, with which he was invested.

(1) Rhetorici hæc et hyperbolici loquitur Paulus. Anno enim 774, Roma neque à Longobardis oppressa fuit, neque à Carolo cum ditionibus suis unita, sed à Longobardorum insultibus liberata et Carolo jure patriciatus tantum subdita.—
Collection of Gallic and French Historians, vol. 5. p. 191. n. a.

Constantine, anxious to restore the ancient patricians, had invented this personal title of patrician, to be given to the governor or first magistrate of the city of Rome. From 729 to 800, that is, during the existence of a shadow of the Roman republic, the office of patrician was often conferred by the clergy, the nobles, and the people of this city, almost always at the will of the popes, but never at their sole discretion. The Greek emperors ratified either expressly or tacitly the election of the patrician; preferring that it might be supposed he governed in their name, rather than it should be believed he ruled in despite of them. Many barbarous kings, Visigoths, Ostrogoths, and others, have received and borne this title; and Charlemagne did not disdain a dignity, subordinate in appearance, but in reality independent, and which might serve as a step to a more perfect sovereignty.

Leo III. succeeding, in 796, to Pope Adrian, hastened to address to Charlemagne a letter of homage, similar to those which this prince was accustomed to receive from his vassals.⁽¹⁾ However, there remains to us a monument of the supremacy still preserved by the Emperor of the East over the Romans in 797; it is a mosaic, with which Leo III. ornamented the hall of the Lateran palace.⁽²⁾ We

(1) Ann. Lauresh. St. Marc, Abr. Chron. of Hist. of Italy, vol. 1. year 796.

(2) Ciampini, Vetera. Mon. par. 2. p. 128.

here behold a prince crowned, which circumstances prove to be Constantine V. : another prince, without a crown, and a pope, are represented kneeling, and by an inscription are named Charles and Leo. The Emperor receives a standard from the hands of Jesus Christ ; Charlemagne receives another of them from St. Peter's left hand, who, with his right hand, bestows a pallium on the pope. This mosaic is at once the emblem of the supremacy of the emperor, the power of the patrician, and the pretensions of the pontiff.

In 799 a conspiracy is formed against Leo III.— he is accused before Charlemagne, who refers to commissioners the investigation and decision of the whole affair.⁽¹⁾ This fact suffices to shew, how far the pope was from being a sovereign before the year 800.

The 25th of December this year, Charles is proclaimed emperor. He had been raised to this supreme dignity, not by the pope alone, but by an assembly of the clergy, of the nobility, and of the people of Rome.⁽²⁾ Behold, then, the precise period.

(1) Theophan. Chron. — Eginhard, ad ann. 799. — Anastasius vit. Leonis iii. — Fleury. Hist. Eccles. l. 45. n. 14.

(2) Fleury. Hist. Eccles. l. 45. n. 14. See also how Anastasius, the historian of the popes, relates the coronation of Charlemagne : Post hæc, adveniente die natali. D. N. J. C. in jam dictâ basilicâ B. Petri apostoli *omnes interum congregati sunt, et tunc venerabilis almificus pontifex manibus suis pro-*

of the extinction of the sovereign rights of the Eastern Emperor in Rome: then, also, ceased the patriciate, properly so called; and the pope, no longer recognizing any intermediate person between him and the Western Emperor, became, indeed, the governor or first magistrate of Rome and of its territory. Charlemagne, in order to deceive the court of Constantinople, had pretended to fill only a passive part in his own coronation:—it was without his knowledge that they decreed him the imperial crown—it was against his consent that he suffered it to be placed on his victorious head: such, at least, is the account which his chancellor Eginhard has given us of this event; an account which Sigonius⁽¹⁾ and Muratori⁽²⁾ have classed with the fabulous, and to which even Father David himself refuses all credence. Charlemagne hastened to dispatch ambassadors to Constantinople; he received in return those of the Emperor Nicephoras, and concluded a treaty of friendship and alliance with him, which fixed the

priis pretiosissimâ coronâ coronavit eum. Tunc *universi fideles Romani...unanimiter* altisonâ voce, Dei nutu atque B. Petri clavigeri regni cœlorum, exclamaverunt: Carolo piissimo Augusto à Deo coronato, magno, pacifico imperatori, vita et victoria. Ante sacram confessionem B. Petri apostoli.....ter dictus est, et *ab omnibus constitutus* est imperator Romanorum. Illicò sanctissimus pontifex unxit oleo sancto Carolum, &c.—*Anast. Bibl. in vita Leonis III.*

(1) De Regn. Ital. l. iv. p. 252.

(2) Annali d'Italia, ann. 800.

limits of the two empires, without, however, a formal recognition of the Emperors of the West by the Greeks. But the absolute sovereignty of Charles over the Exarchate, the Pentapolis, and the Roman territory, became undisputed.⁽¹⁾ Pope Leo,

(1) In uniting all these facts, says Bossuet, it is easy to see that Baronius asserts very inappropriately, that the popes had deposed the emperors because of their heresy, and transferred their empire to the French. It is on the contrary evident, that in Italy and at Rome, the popes themselves have constantly recognized as emperors, the image-breaking princes; and that the empire was only transferred to the French when it was possessed by Irene, a most catholic princess after her rejection of heresy.

It is no less evident, that the popes solicited the assistance of the French, not on account of the heresy of the Emperor, but because they had no other resources to oppose the Lombards: that their affairs were altogether desperate, and that they could hope for no succour from the emperors of the east. There were wanting none of the circumstances necessary, as is said in the present day, to justify the deposition of kings. These emperors were heretics, obstinate in error, cruel in their persecutions, and besides, were forgers and perjurers; a circumstance, which according to our adversaries, rendered them still more worthy of deposition, since it was against the church they sinned, in violating the oath, which they had taken at the foot of the altar, to commit no innovation in religion.

Notwithstanding the violation of these solemn promises, the catholics not only honored as emperor, the prince who persecuted them, but did all which lay in their power, to restrain those who, under such pretext, wished to excite seditions and revolt against the empire: so true it is, that they had not then the least idea of that power, in which, at the present day, all the hopes of the church are made to consist, and which is re-

in the year 803,⁽¹⁾ and in 806,⁽²⁾ dates from the reign of the Emperor Charles. This prince designates himself 'Head of the Roman Empire ;'⁽³⁾ and the confines of his states are henceforward extended, even to the lower Calabria, by Eginhard⁽⁴⁾ and other historians.

Stephen IV. as soon as he was elected successor to Leo. III. made the Romans take an oath of allegiance to Louis-le-Debonnaire, the successor of Charlemagne.⁽⁵⁾ Among the gifts of which the Holy See avails itself, there is one which bears the name of this first Louis, and the date of 816 or 817 :⁽⁶⁾ it is pretended, that in confirming the concessions of Charlemagne and of Pepin, Louis has reckoned Sicily in the number of the territories acquired by the Roman Court, and that he has renounced for himself, and his successors also, the right of ratifying the elections of the popes. But we see him, in 827, examine into and ap-

garded as the firmest bulwark of the pontifical authority. Def. Cler. Gall. p. 26. 6 ch. 20.

(1) Imperante nostro domino Carolo piissimo à Deo coronato. *Ughelli, Ital.* see vol. 5. col. 1095.

(2) Concilior. vol. 8. p. 1120.

(3) Carolus serenissimus Augustus.....imperator Romanorum gubarnans imperium.....Datum idibus junii, anno iii. imperii nostri, et 35 regni nostri in Franciâ. *Lecointe Ann. eccles. Francorum.* vol. 6. p. 814.

(4) Italiam totam usque in Calabriam inferiorem. Eginhard.

(5) Theg. de gestis Ludovici Pii. ann. 816.

(6) Baronius Ann. Eccles. ann. 817.—Sigon. Hist. Ital. l. 4.

prove that of Gregory IV. Eginhard, and another historian of Louis-le-Debonnaire,⁽¹⁾ attest this circumstance to us. As to Sicily it did not in any wise belong to Louis: he never possessed it; the pope did not even dream of governing it; and it is so incredible that it should have been ceded to the pope in 816, by the emperor, that Father Morin,⁽²⁾ in supporting the authenticity of the donation of Louis I. is obliged to suppose, that the name of this isle had not been originally in it, but had been inserted in the course of time. Furthermore, it is a donation unknown to contemporary writers, and which appears not in historical records until long after its date.

The forging of documents occurs often in the history of the temporal power of the popes. The Donation of Constantine was fabricated, as we have already observed, between the years 756 and 779, and it was about the same period that an Isidore, Mercator or Peccator, forged the decretals of the ancient popes, Anaclet, Clement, Evaristus, and others, down to St. Sylvester. In the sixth century, Dionysius-le-Petit was unable to collect any decretals, but those subsequent to St. Siricius, who died at the end of the fourth. Those of Isidore are long, full of common place, and all in the same style,

(1) Coll. of Histories of France, vol. 6. p. 108.

(2) History of the Origin of the Power of the Popes, p. 627.

which, according to Fleury,⁽¹⁾ is much more that of the eighth century, than of the early ages of the Church. "Their dates are almost all of them incorrect," adds the historian we have just mentioned, "and the matter of these letters, still further evinces the forgery: they speak of archbishops, "primates, patriarchs, as if these titles had been "received from the birth of the Church. They "forbid the holding of any council, even a provincial "one, without the permission of the pope, and "represent as a usual thing, the appeals to Rome." These false decretals have contributed to the extension of the popes' spiritual power, and to invest them with political authority: their fatal effects have been fully exposed by Fleury, in his fourth discourse on ecclesiastical history.

We believe, that from the details we have collected, it is sufficiently clear, that up to the year 800, and still later, the pope and the Romans have always acknowledged, as their sovereigns, the emperors of the East or the West, and even particular governors, as the exarch, the patrician, and the kings of the Lombards, or of Italy.⁽¹⁾ The pope at the end of Louis-le-Debonnaire's reign, in 840, was not yet a sovereign; and taking the word in its literal

(1) Hist. eccles. l. 45. n. 22.

(2) Muratori introduces the same results, in the three first chapters of his work entitled: *Piena Esposizione di diritti imperiali ed Estensi sopra Comacchio*, 1712, in—fol.

sense, that is, as expressing supreme authority, independent and undelegated, we may maintain with certain authors, that he did not begin to be such until 1355, when the Emperor Charles IV, receiving the imperial crown at Rome, renounced in the most express terms every sort of authority over the Holy See.

But without sovereignty a power may yet be effective. Such was that of the popes long before 1355, and even from the time of Charlemagne. An actual temporal power, though subordinate, delegated or borrowed, rested from that period, in the hands of the pontiffs; and, from this time, the perpetual quarrels between the priesthood and the empire, had no other object, than to emancipate and extend their power. It was necessary in the first place, to render it independent; and from the time it was or asserted itself so to be, to amplify its prerogatives, its rights, its limits, finally to transform itself into a universal monarchy. Behold the common origin, of all the anathemas, all the quarrels, all the wars of which we are about to sketch the picture! Here is the secret of the eternal contentions of the Court of Rome with the greater number of the European powers, especially those which obtained an ascendancy in Italy.

CHAPTER II.

ENTERPRIZES OF THE POPES OF THE NINTH CENTURY.

CHARLEMAGNE had condemned gifts made to the church, to the prejudice of the children or near relatives of the donor. In 816, a capitulary of Louis I. declared all donations of this kind void. But, far from continuing to limit by such restraints the sacerdotal ambition, Louis was destined to become one of the first victims, and, by the same circumstance, one of the first founders of the clerical power.

Pascal succeeding Stephen IV. in 817, did not wait for the consent of the prince to instal himself: he confined himself to sending him legates, and an apologetical letter, in which he pretended that he had been compelled hastily to accept the dignity. Some years after, Pascal crowned Lothaire, whom Louis, his father, had associated in the empire: the pope, say the ecclesiastical historians of the ninth century, gave to the young prince the power which the ancient emperors had enjoyed; they add, that with the consent and good will of Louis, Lothaire received from the sovereign pontiff

the benediction, the dignity, and the title of emperor; expressions truly remarkable, and of which they have since availed themselves, in order to erect the pope into the disposer of the imperial crown; as if Charles and Louis had not previously borne it, without being indebted for it to the bishops of Rome!—as if it were not, above all, contradictory, to pretend at once that these two princes founded the temporal power of the popes, and yet received from these same popes the dignity of Emperors of the West.

Some officers in the service of Lothaire having been put to death in the Lateran palace, the holy fathers, accused of having ordered the commission of the crime, hastened to send nuncios to Louis to do away such suspicion. Louis received the nuncios coldly, and dispatched commissioners to Rome, before whom Pascal cleared himself by oath. He constantly, however, evaded delivering up the murderers, 'because they were of the family of St. Peter', that is, of the pope's house. Louis-le-Debonnaire followed his natural love of clemency, says Fleury,⁽¹⁾ and notwithstanding his wish to punish this action, he consented, not to follow up a proceeding, the first acts of which prove, at least, that he was recognized in 823, as sovereign of Rome, and judge of the Roman Pontiff.

(1) Hist. Eccles. l. 46. n. 67.

Eugene II. after the example of his predecessor Pascal, dispensed with having his election confirmed by the emperor. Lothaire complained loudly of it, and came to fill at Rome the functions of the sovereign authority. He tried a suit between the pope and the abbot of Farfa, of whom the court of Rome exacted an annual tribute—Not only was the abbey exempted from this tribute, but the pope was obliged to restore the property which the 'Roman Church had *unjustly deprived it of*: these are the terms of a charter of Lothaire.⁽¹⁾ This prince published, at the same time, a constitution of nine articles,⁽²⁾ in which the authority of the pope is indeed formally established, yet subordinate to that of the emperor. It is there stated, that complaints against the judges and other officers shall first be taken before the pontiff, who shall apply an immediate remedy, or inform the sovereign thereof, in order that he may provide for it. This constitution is of the year 824, and it is also the date of an oath which the Romans took in the following terms:⁽³⁾ “ I promise to be faithful
 “ to the emperors Louis and Lothaire, saying the
 “ faith I have promised to the pope, and not to con-
 “ sent to the election of a pope uncanonically, nor
 “ that the pope should be consecrated before he has
 “ taken, in presence of the emperor's commissioners,
 “ an oath similar to that which Pope Eugene has

(1) S. Marc. Ab. Hist. Italy, vol. 1. p. 469.

(2) Ibid. p. 472. (3) Ibid. p. 473.

“made by writing.” The clause, “saving the faith promised to the pope,” has not failed to draw after it arbitrary restrictions: but this formula expressed decisively the sovereignty of the emperor.

We also see Gregory IV. in 827, solicit the emperor to confirm his election ;⁽¹⁾ which proves, as we have already observed, that Louis had not renounced this right in 819. If the prince, said De Morca,⁽²⁾ had left to the people and the clergy the power of electing the popes, their consecration was, notwithstanding, to be deferred till the sovereign had consented to it. In defiance of this preliminary, the pontificate of Gregory IV. is, nevertheless, one of the most memorable for the humiliations of the imperial dignity. It is true, they were caused by the weakness of the prince as much as by the ambition of the pontiff. The first error of Louis-le-Debonnaire was the partition of his states, in 817, amongst his three sons: associating Lothaire in the empire, he gave Aquitaine to Pepin, and Bavaria to Louis; and by these arrangements he especially dissatisfied his nephew Bernard, King of Italy. Bernard re-

(1) *Loco illius (scil. Valentini) Gregorius presbyter tituli Sancti Marci electus est, dilatâ consecratione ejus ad consultum imperatoris. Quo annuente et electionem cleri et populi probante, ordinatus est in loco prioris.*—*Vit. Ludov. Pii. imp. ann. 827.*—Gregorius presbyter non prius ordinatus est, quam legatus imperatoris Romam veneret et electionem populi examinaret.—*Eginhard. ad ann. 827.*

(2) De Concordiâ sacerdotii et imperii. l. 8. c. 14. n. 8.

volted : it became necessary to subdue and punish him. In commuting the punishment of death pronounced against him, Louis had nevertheless caused his eyes to be put out ; and this cruel punishment cost the patient his life. Louis reproached himself with this cruelty, and evincing still less moderation in his repentance than in his crime, he claimed public penance. To add to his difficulties, Judith, his second wife, becoming the mother of Charles the Bald, claimed a kingdom for this child. She obtained a new partition, which, however, interfered with the first, and caused the three, who were portioned in 817, to rebel. They leagued against their father : Vala, abbot of Corbia, a factious but revered monk, encouraged their rebellion : like them, he heaped invectives on the emperor, his wife Judith, and his minister Bernard. Easily disconcerted by such an outcry, Louis convoked four councils, to which he referred the examination of his conduct and the complaints it occasioned. These synods favoured but little the pretensions of the revolted ; but in them was professed a doctrine on the privileges of the clergy and the duties of princes, which, at a period so near to that of the unbounded power of Charlemagne, would seem incredible, if the purport itself of these assemblies⁽¹⁾ did not suffice, to justify and explain the idea which they had formed of their su-

(1) Concil. Gall. vol. 1,

preme authority. We will here transcribe a speech which one of the four councils makes Constantine the Great address to the bishops : “ God has given “ you the powers to judge us ; but you cannot be “ judged by any man. God has established you as “ gods over us, and it becomes not men to be the “ judges of gods. That can belong to him alone “ of whom it is written, God has seated himself in “ the temple of the gods and judges them.” Here, then, we certainly behold the question respecting the two powers more clearly laid down than ever it had been ; for they could not be more decisively reduced to one only.

While councils were giving Louis these lessons ; while he was sending Judith into the bosom of a cloister, and was thinking of assuming himself the monastic gown ; his sons and the abbot Vala strove to compel him to do so, and would have succeeded, if another monk, in sowing discord among the three brothers, had not restored to their father some moments of repose and vigour. He recalled Judith, exiled Vala, deprived Lothaire of the title of emperor, and, incapable of prudence, abandoned himself in such degree to the counsels of his ambitious and vindictive wife, that he disinherited Pepin in favor of Charles, and even alienated the minister Bernard. Immediately the revolt revived ; and here commences the part which Gregory IV. played in these disgraceful scenes. The pope allied himself

with the three princes: he entered France with Lothaire—entered it without the permission of his sovereign, what none of his predecessors had done. At the first report of the anathema he was about to thunder against the emperor, some French prelates had the courage to say, that if Gregory was come to excommunicate, he should return excommunicated himself;⁽¹⁾ but Agobard, bishop of Lyons, and many of his colleagues, said, that the pope must be obeyed. Gregory, on his part, addressed to the partisans of Louis a memorable letter, in which the secular power is, without any ambiguity, subjected to the Holy See.⁽²⁾ “The term of brother savours “of equality,” said he to the prelates who had so addressed him; “it is the title of *father* which you “owe me: know that my chair is above Lewis’s “throne.” In the mean time Lothario and his two brothers collect their troops in Alsace; Gregory joins them, and quits them only to appear in Louis’s camp in quality of mediator. What the pope did we know not; but the same night on which he took leave of the emperor, the troops of the latter disbanded themselves. This desertion dissolved Louis’s army, and doubled that of his opponents: compelled to give himself up to his sons, he was dethroned, *by the ad-*

(1) Si excommunicaturus adveniret, excommunicatus abiret, cum aliter se haberet antiquorum canonum autoritas.—*Vit. Lud. Pii. in Coll. of Hist. of France*, vol. 6. p. 113.

(2) Agobardi Oper. vol. p. p. 53.

vice of the pope, says Fleury⁽¹⁾ ; and Gregory returned to Rome, very much afflicted, according to the same historian, at the triumph of the unnatural children whom he had served. The plain where he had negotiated, between Strasburg and Basle, is called to this day the 'Field of falsehood.'

It would be too painful to retrace here the details so well known of the humiliations of Louis I.; how Ebbon, his creature,⁽²⁾ and other bishops, condemned him to a public penance; how the son of Charlemagne shewed himself almost worthy of the infamy by his submission; how, on his knees before these prelates, he publicly recited a confession of his crimes, in the number of which they had inserted the marching of his troops during Lent, and the convocation of a parliament on Holy Thursday; how, dragged from cloister to cloister, to Compeigne,

(1) Hist. Eccles. l. 47. n. 39.

(2) Ebbon a contemporary historian thus speaks of it: *Elegerunt tunc unum impudicum et crudelissimum, qui dicebatur Hebo, Remensis episcopus; qui erat ex originalium servorum stirpe.....Abstulerunt ei gladium de femore suo, judicio servorum suorum, induentes cum cilicio. Tunc impletum est eloquium Jeremiæ prophætæ dicentis: Servi domini nostri. O qualem remunerationem reddidisti ei! Fecit te liberum, non nobilem, quod impossibile est post libertatem: vestivit te purpuri et pallio, tu induisti cum cilicio. Ille pertraxit te immeritum ad culmen pontificale, tu cum falso judicio voluisti expellere à solio patrum suorum....Patres tui fuerunt pastores caprarum, non consiliarii principum, &c. Thegon. de gestis Ludov. Pii tom. 45.*

to Soissons, to Aix-la-Chapelle, to Paris, to St. Denis, he seemed destined to terminate his days there, when the excess of his misfortunes provoked the public pity, and produced against his already divided enemies the indignation of the nobles and of the people. The great lords came to offer him homage as their sovereign, but Louis dared not recognize himself such until he was canonically absolved: he did not resume, he said, the belt, but in virtue of the judgment and authority of the bishops. On this occasion he invited Hilduin, the monk, to compose a life of St. Denis, a legend since become so famous, and which would suffice to characterize the reign of Louis I. or rather the empire of gross superstition which he permitted to rule in his place. At Thionville an assembly was held, half parliament, half council, which replaced him on his throne. Solemnly re-established in the body of the church, at Metz, he pretended that the deposition of Ebbon, the Archbishop of Rheims, pronounced at Thionville, had need to be confirmed by the pope. Many prelates, accomplices of Ebbon, fled to Italy, under the protection of Lothaire and of Gregory; others, almost as shameless in confessing the crime as in committing it, were pardoned:—none suffered the punishment due to such wicked attempts. Louis carried his good nature so far as to re-establish Agobard in the see of Lyons, and placed no bounds to the respectful deference which the pope exacted of him. Baronius

even pretends, that it was by the pope's authority the king remounted his throne : but ~~Benoct~~⁽¹⁾ has victoriously refuted this assertion, which is unsupported by any contemporary witness.

Marianus ~~Sextus~~, the Chronicle writer of the twelfth century, cited by Baronius, makes no mention in it of Gregory IV. and confines himself to saying, that in the year 835, Pepin and Louis restored to their father the sovereign power.

In the mean time the death of Lothaire gave occasion for a new partition, and a new revolt or Louis of Bavaria. Louis-le-Debonnaire once more took up arms against his ever rebellious son, when a mortal fright which an eclipse produced on this emperor, whose astronomical knowledge is boasted of, terminated in the year 840 his lamentable reign, worthy of such termination.

The ambition of Lothaire having united against him the King of Bavaria and Charles the Bold, they subdued him at Fontenai ; and to possess themselves of his states, they addressed themselves to the bishops assembled at Aix-la-Chapelle. Do you promise, said these bishops, to govern better than Lothaire has done ?" the princes promised ; and the prelates added : " Reign then in his place, we allow " you so to do ; receive by divine authority the " kingdom ; govern it according to the will of God ; " we exhort you to it, we command you." But

(1) Def. Cler. Gall. vol. 2. b. 6. ch. 21.

Lothaire did not permit it, and his brother found him sufficiently formidable to treat with, and to continue to him the name of emperor, with certain states.

After the circumstances which had so humbled the imperial power, we are not astonished to see Sergius II. succeed Gregory IV. without waiting for the Emperor Lothaire's consent. Yet this prince was so irritated at it, that he sent his son Louis into Italy at the head of an army. The terrified pontiff endeavoured to appease the young prince by means of honours and of homage. Louis examined into the election of Sergius, and ratified it in the midst of an assembly in which Sergius was judicially interrogated. His premature consecration was held valid only on condition that they should act more regularly for the future. The pope and the rest of the assembly took the oath of fidelity to the emperor.⁽¹⁾ This firmness of Lothaire upheld for a while the civil power, even in the states of Charles the Bald. This prince held a parliament at Epernai, in 846, to which the bishops were not admitted; in it were reprobated the canons which limited the rights of the king and of the lords, and measures were taken against the abuse of excommunications.

In 847, Leo IV. was also consecrated before the emperor had confirmed the election; but they

(1) Anast. Bibl. de vit. Roman. Pontif. p. 352.

protested, that the ravages of the Saracens in the neighbourhood of Rome obliged them to act thus; and that nothing was meant derogatory to the fealty due to the head of the empire. Besides Leo IV. was the most venerated pontiff of the ninth century. He fortified Rome, built the part which bears the name of the Leonine city; and, without desiring to disturb other states, he laboured for the space of eight years, for the prosperity of that which he governed. The same praise cannot be bestowed on Nicholas I. who filled the chair of St. Peter from the year 858 to 867; but he was the pope of that century, which extended most the pontifical authority.

Elected in the presence, and by the influence of Lothaires's son, the Emperor Louis, he received from this prince a devotion unknown before: Louis seems to have thought he might honor without danger a creature of his own. The emperor then was seen to walk on foot before the pontiff, act as his equerry, lead his horse by the bridle, and thus realize, if not surpass, one of the directions of Constantine's pretended 'deed of gift.' Such ceremonies could not remain without effect, and Nicholas delayed not to discover occasions of availing himself of them. The power of Charlemagne was at that time divided among his numerous descendants: there were sons of the Emperor Lothaire, to wit, Louis, the heir to the empire, Charles, King of

Provence, and Lothaire, King of Lorraine. Their uncles Louis and Charles reigned, the one in Germany, the other in France; while the son of Pepin, king of Aquitaine, fallen from the throne of their father, resumed it but to descend from it once more. All these princes, almost equally deprived of information and of energy, weak in the first place by their numbers, became still more so by their discord: each of them employed against the other the principal part of his limited power; it remained for Nicholas only to declare himself their master, in order to become so, and he failed not to do it.

An archbishop of Sens, named Venilon, loaded with benefits by Charles the Bald, but stimulated to rebel against this monarch by Louis, King of Germany, had collected in the palace of Attichi some other disaffected prelates, and in conjunction with them pronounced the deposition of the King of France, loosing his subjects from their oaths, and declaring his crown to have devolved to his brother. This attempt had but one remarkable consequence; this was, the strange complaint made of it in 857 to a council held at Savonnières. "Venilon," said he, "consecrated me in the Church of St. Croix in Orleans; he promised never to depose me from the royal dignity, without the concurrence of the bishops who consecrated me with him: the bishops are the thrones upon which God sits to promulgate his decrees; I have always been, I am still in-

“clined to submit to their paternal corrections, but
“only when they proceed regularly.”⁽¹⁾

In order to confirm this enormous authority of the clergy, Charles the Bald resorted to it against Louis. He caused the French prelates to assemble at Metz: these signified to the German monarch, that he had incurred excommunication, and presented the terms to which his forgiveness was attached. Thus, by the avowal of the King of France, bishops had, of themselves, the right to depose, and even to excommunicate, a foreign sovereign. One day these bishops contracted a solemn engagement at Savonnières, to remain united, in order to correct sovereigns, nobles, and people; and Charles heard and received these expressions with all the humility which should have been the portion of those who held them.

Nicholas cautiously avoided repressing these enterprises of the clergy; on the contrary, he was pleased to behold the advancement of their power, provided it continued in subjection to his. The quarrels which arose among these prelates, gave him an open for exercising his supremacy; and those in whose favor he exerted it supported it with ardour. Hincmar, archbishop of Rheims, had deprived of his dignity Rotade, bishop of Soissons, and Charles

(1) *Libellus proclamationis adversus Venilonem*. Concil. vol. 8. p. 479.

the Bald executed the decrees of a council, which, in defiance of this Rotade's appeal to the Holy See, had condemned him for contumacy. Nicholas cancelled these decrees, threatened Hincmar, and re-established the bishop of Soissons. The king never thought of supporting Hincmar: on the contrary, he protected the nominated Vulfede, deposed by the Archbishop of Rheims, in another council, the sentence of which, also, Nicholas annulled. To such length had the 'False Decretals' extended the jurisdiction of the Holy See.

But the affair in which Nicholas made the most solemn display of his power, was that of the king of Lorraine, Lothaire, who after having repudiated and taken back his wife Theutberga, wished finally to part with her in order to marry Valdrade. The opposition of the popes to the divorces of princes has been often since renewed, but this is the first example: we have seen Charlemagne repudiate Imiltrade, as also Ermengarde or Desiderate, without any opposition on the part of the Roman pontiff; but he was Charlemagne, and his great-grandson neither inherited his genius nor his power.

Marriage is a civil act, which from its nature can be subject only to the regulations of the civil law. The religious rules or maxims which relate to it have no exterior force, no absolute efficacy, but inasmuch as they are inserted into the national code: they are not so inserted in those of the 9th century,

and, consequently, the ecclesiastical ministry should have confined itself to recommending, in secret and without scandal, the observance, purely voluntary, of these maxims. But this wisdom, though so natural, was already foreign to the manners of a clergy, whose ministry the False Decretals had erected into authority ; and neither kings nor people were capable of that degree of attention, necessary to acquire specific ideas of their civil rights and their religious duties. While Lothaire continued the husband of Theutberga, and had Valdrade but as a concubine, the pope and the bishops abstained from requiring him to give an example of a more regular and decent life: but from the time he thought of conferring upon Valdrade the rights of a lawful wife, Nicholas was earnest to apply to this project of reform the pontifical veto.

In truth, Lothaire himself provoked the intervention of the clergy, by causing Theutberga to appear before a tribunal of bishops, in order to undergo their indelicate interrogatories. Twice she confessed herself guilty of incest ; and when the office of these Lorraine priests extended itself to extorting from her public avowals of the same, Nicholas whom they acknowledged as their supreme head, might consider himself authorised to revise so strong a proceeding. He therefore annulled the decision pronounced against Theutberga by the councils of Aix-la-Chapelle and of Metz ; he degraded two prelates, Gonthier and

Theutgaud, whom the latter of these councils had thought proper to depute to him. These prelates condemned in plain terms the Pope's sentence; they asserted, that Nicholas wished to make himself monarch of the world.⁽¹⁾ The Emperor Louis seemed to believe so in part; he came to Rome, resolved to support his brother Lothaire against Nicholas. But a fast and processions ordained by the pope, a tumult which he did not prevent, profanations about which he made a great noise, the sudden death of a soldier accused of having mutilated a miraculous cross; so many unlucky omens terrified Louis to that degree that it threw him into a fever. Furthermore, while Louis had been endeavouring to protect Lothaire, Charles the Bald, having declared against the latter, had received Theutberga. Hincmar himself composed a treatise respecting this divorce, which occupied all Europe, far from favourable to the interests of Valdrade.⁽²⁾ It was then enjoined by Nicholas, that Lothaire should give up the idea of a second marriage under pain of excommunication. A legate named Arsena came to compel the King of Lorraine to take back his first wife;⁽³⁾ and to detach him more certainly from Valdrade, this courtesan, so she was styled by

(1) Fleury. Eccles. Hist. l. 60. n. 33.

(2) De Divortio Lotharii, vol. 1. Operum Hincmari.

(3) Annal. Metens. ad ann. 866. Annal. Fuld. ad ann. 866, 866.—Concil. Gall. vol. iii. p. 279,

the Holy See, was borne off by the legate, who would have taken her to Rome if she had not made her escape by the way. The holy father who wished to convert, could therefore do no more than excommunicate her. But he received from Lothaire an humble epistle, in which this prince having declared that he had not seen Valdrade since she left Arsena, conjures the court of Rome not to give the kingdom of Lorraine to one of his rivals : a supplication that may seem to us in the present day as the excess, if not delirium, of weakness, but which was dictated to this king by the apprehension of being stripped of his states to enrich Charles the Bald, who in fact did hope to obtain them from the Holy See.

Divers letters, written by Nicholas on this subject, contain a precious developement of his ideas of the royal powers, and of his own authority, "You say," he writes to the bishop of Metz, Adventius, "that the apostle commands obedience to kings : but examine first whether those kings really be such, that is, whether they act justly, conduct themselves well, and govern their subjects properly ; for otherwise it is necessary to account them tyrants, and as such to resist them. Be subject to them on God's account, as says the apostle, but not against God." Fleury⁽¹⁾ here observes, "that the pope

(1) Hist. Eccles. l. 60. n. 35.

makes the bishops judges, whether kings be so legitimately, or tyrants, while the christian morality requires their obedience of the worst of masters: in fact, to what prince did the apostle exact fidelity from them? It was to Nero."

Nicholas wrote to the bishops,⁽¹⁾ to know if Lothaire fulfilled his promises, and if they were satisfied with his behaviour to his first wife. He wrote to the King of Germany with new complaints of Lothaire.⁽²⁾ "We learn," said he, "that he proposes coming to Rome without our permission: prevent his disobedience of us; and furthermore take care to preserve to us, by secure methods, the revenues of St. Peter, which we have not, for the two past years, received from your states."

He declares to Charles the Bald,⁽³⁾ that Theutberga having had recourse to the church, she could no longer be subject to a secular tribunal. In another letter to the same monarch,⁽⁴⁾ he announces that he writes no longer to Lothaire because he has excommunicated him. Lothaire, indeed, though he had taken back Theutberga, had not altogether relinquished Valdrade; and Nicholas would not be satisfied with a shew of compliance. Theutberga, finally, wearied with these contests, designed renouncing for ever the titles of wife and of queen:—the

(1) Coll. Histories of France, vol. 8, p. 419. (2) Ibid, p. 428.

(3) Ibid, p. 422. (4) Ibid, p. 438.

pontiff would not permit it; he addressed her in a long epistle, in which he recommended to her perseverance and intrepidity, and directed her rather to die than to yield.⁽¹⁾

The same principles relative to the jurisdiction and independence of the clergy, are to be found in 'Nicholas's Rescript to the Bulgarians':⁽²⁾ "You who are laymen," says he to them, "ought not to judge either priest or clerk: they must be left to the judgment of their prelates." Thus, while the pope censures the conduct of kings, annuls or confirms their civil acts, and even disposes of their crowns, the members of the clerical body, to the lowest degree, are freed from all secular jurisdiction. Such is the *regime* to which Nicholas wished to subject the East and the West. He especially had at heart to make Constantinople submit; and his first step was to condemn and depose the patriarch Photius, in defiance of the emperor Michael. He threatened to burn, in the face of the world, an energetic letter which this emperor had written him, to excommunicate the ministers who had advised him to this step, and to annul in a Western council whatever had been done for Photius in the East. This quarrel, which was prolonged under the successors of Nicholas, was the prelude to the schism of the Greek Church.

(1) Concilior, vol. 8, p. 425.

(2) Fleury's Eccles. Hist. b. 60. n. 51.

Basilus Cephalas, or the Macedonian, assassinated his benefactor Michael, and seized upon the throne of Constantinople. Photius, on this occasion, was willing to imitate St. Ambrose, and ventured to address Basilus: "Your hands are polluted with blood: approach not the sacred mysteries." But Basilus did not in any respect imitate Theodosius: he banished Photius, and re-established Ignatius, whom Michael had, not less unjustly, driven from the patriarchal chair. Adrian II. took advantage from the disgrace of Photius to renew against him the anathemas of Nicholas, Photius, condemned already at Rome, was also condemned in a general council held at Constantinople.

Charles the Bald and Lewis the German, impatient to divide between them the states of their nephew Lothaire, hoped that Adrian would finally excommunicate that prince. But Adrian did not think it suitable to provide such means of aggrandizing their domains: he permitted Lothaire to come to Rome, and admitted him to the holy table; —did not hesitate to absolve Valdrade herself, and contented himself for such great condescension with the King of Lorraine's oaths and promises. The monarch swore he had no connexion with Valdrade while she was under excommunication, and pledged himself never more to see her. Lothaire died at Placentia, a few days after taking this oath; and his death, which was considered as a punishment of his

perjury,⁽¹⁾ produced the result for his two uncles, which they expected from his excommunication. They divided his kingdom between them, without respect to the rights which preceding treaties had given to the Emperor Louis.

Adrian, of his own motion, declared himself the guardian and arbiter of the respective rights of the three princes ; decreed the states of Lothaire to the emperor, who had not as yet claimed them ; enjoined Charles and Louis, under the usual penalties of ecclesiastical censure, to renounce the partition they had dared to make ; and menaced with the same punishment every lord or bishop who should support their usurpation. But neither in France nor Germany were any found disposed to the obedience prescribed by Adrian—his commands were despised. Hincmar, archbishop of Rheims, replied to him in the name of the nation, that a bishop of Rome was not the dispenser of the crowns of Europe ; that France never received her masters from the pope's hands ; that wild anathemas, launched forth from mere political motives, could not alarm a king of France ; that, until Nicholas, the popes had never written to the French princes save respectful letters ; in a word, that in reverencing the apostolical ministry of the pontiff, they knew how to resist efficaciously.

(1) *Ann. Metens. ad. ann. 869.*—*Rhegin. Chron. ann. 869.*

ously his attempts, whenever he sought to become at once both pope and king.⁽¹⁾

This letter, worthy of a more enlightened age, excited in the soul of Adrian the most violent anger. He knew that a son of Charles the Bald, named Carloman, had revolted against this monarch; he knew that another Hincmar, bishop of Laon, and nephew of the archbishop of Rheims, had taken part with Carloman, and carried his rashness so far as to excommunicate the king. Adrian declared himself the protector both of Carloman and the seditious bishop. The latter, seeing his acts annulled by his uncle, who was also his metropolitan, cited him before the Holy See: "an insolent step," says Pasquier,⁽¹⁾ "unknown and contrary to the ancient decrees, which do not wish that causes should pass the confines of the kingdom in which they had their origin." They hesitated not to break this appeal, they even deposed the appellant. A second fit of rage seizes Adrian, who commands the king, by his apostolic power, to send the parties to Rome to await their judgment there. In the vigorous reply of Charles, he protests that the kings of France, sovereigns in their states, never shall humiliate themselves so far as to hold themselves but as popes' lieutenants, "exhorting him, in fine," adds

(1) Hincmari Op. vol. 2, p. 689.—This letter is cited by Bossuet with applause. *Def. Cler. Gal.* p. 2, b. 6, ch. 23.

Pasquier, "that for the future he might desist from letters of such a nature towards him and his prelates, lest he should be obliged to reject them." This epistle of Charles produced the effect which persevering firmness always secures: the holy father became softened, excused himself, abandoned Carloman, confirmed the deposition of the bishop of Laon, and said no more about the partition made of the states of Lothaire. He wrote the king a letter so full of professions of regard, of praises, and of promises, that it contained the request to keep it very secret: but it became and remains public.⁽¹⁾ Adrian died a short time after having written it, and John VIII. succeeded him in December, 872.

The ravages of the Saracens in Italy, and especially about Rome, obliged the pope, John, to use a degree of management with the princes of Christendom. He refrained, for instance, from displeasing Basilius, when this emperor, having been reconciled to Photius, wished to replace this prelate in the patriarchal chair of Constantinople, which the death of Ignatius had left vacant. John, by his legates and letters, concurred in the acts of the Council of Constantinople, which restored Photius, and carried his desire to please the Greeks so far, as to blame

(1) Concilior. vol. 8, p. 936.—Coll. of Histories of France, vol. 7, p. 456—458.

those who had added the word 'filioque,' to the Creed.⁽¹⁾

But the competition which divided the numerous heritors of Charlemagne, offered more than one opportunity to John VIII. to constitute himself arbiter, in return for the services he rendered to some, the right of humiliating others, and of ruling over all.

The Emperor Louis died in 875; and Charles the Bald, in order to obtain the imperial dignity, in prejudice of his elder brother, the king of Germany, had occasion to have recourse to the Holy Father.— John VIII. who did not expect to find in the German, and in his sons, defenders sufficiently powerful against the Saracens, preferred Charles, and took advantage of circumstances to dispose of the empire in favour of a king of France. He consecrated him emperor during the festival of Christmas. "We have adjudged him, said he, worthy of the imperial sceptre: we have raised him to the dignity and power of the empire; we have adorned him with the title of Augustus." Charles dearly repaid the ceremony of this coronation. He consented to date from this day all the charters he should henceforward subscribe: and, according to appearances, John must have obtained from him considerable sums, which served afterwards to pay the tributes

(1) Fleury's Eccles. History, b. 53. n. 24.

enacted of him by the Saracens. It is even added, that Charles stripped himself in favor of the pope, of his sovereign rights over the city and territory of Rome ; but the deed of such cession does not exist ; contemporary historians, with one exception, say nothing of it : and John himself makes no mention of it in the letters of his which have reached us.

In 877, when Charles had so much difficulty in defending France against the Normans, John drew him into Italy to fight the Saracens. "Do not forget, he says to him, from whom you hold the empire, and do not cause us to change our mind." Charles survived this threat but a short time ; and the imperial crown, which he had borne for so short a period, was again solicited from the sovereign pontiff by several competitors. This time John confined himself to promising it, in order to hold it for the highest price : for three years there was no Emperor of the West : none of those who were ambitious of the title were powerful enough to assert it without the aid of the court of Rome. Louis the Stammerer, son of Charles the Bald, succeeded him only as king of the French. The pope came into France in the first year of this reign, and presided at the Council of Troyes. He there fulminated anathemas against Lambert, duke of Spoleto, and against Adelbert, marquis of Tuscany ; against Gosfrid, count of Mans ; Bernard, marquis of Septemanei ; and Hugues, son of Lothaire and Valdrade.

It is decreed by one of the canons of this council, that the bishops shall be treated with respect by the secular authorities, and that none must be so bold as to be seated before them without their invitation.⁽¹⁾ One of the projects of John VIII. was to exercise over the affairs of France a more immediate and habitual influence, through the medium of a legate of the Holy See; already even he had clothed with this title Angesius, archbishop of Sens: but this novelty was not pleasing to the other prelates, nor too much so to the monarch. Hincmar, especially, opposed it earnestly: he wrote a treatise to shew how pernicious it must be; and his brethren, instructed by his lessons and animated by his example, persevered in repelling this undertaking. The pope was indeed willing to relinquish it: in truth, he had much preferred obtaining military and pecuniary succours against the Saracens; but these were more abundantly promised than granted.

Sergius, duke of the Neapolitans, continued to favour the Saracens, notwithstanding the anathemas of Rome, and in despite of the remonstrances of his brother Athanasius, bishop of Naples. Athanasius took the resolution to tear out Sergius's eyes, and proclaim himself duke in his place. It is painful to relate, that the pope highly approved this crime, or as Fleury has it, 'this proceeding':⁽²⁾ but the letters

(1) Concilior. vol. 9. p. 208. (2) Eccles. Hist. b. 52, n. 47.

are preserved which John wrote on this occasion,⁽¹⁾ and in which he applauds Athanasius for having preferred God to his brother, and having, according to the precept of the gospel, 'plucked out the eye' that scandalized him. This barbarous, and almost ludicrous, application of a sacred text, opens to our view the character of John VIII. whose three hundred and twenty letters speak so perpetually of excommunication, that this menace presents itself as an ordinary and, as we may say, an indispensable formula.

In 880, John disposed of the imperial crown ; he gave it on Christmas-day to the son of Louis the German, Charles-le-Gros, who in 884 became king of France, by the death of Louis III. and of Carloman, son of Louis the Stammerer. The names of these princes suffice to remind us of the decline of the Carlovingian race. A bishop of France wrote one day to Louis III.: "It was not you who chose me to govern the church ; but it was I, with my colleagues, who chose you to govern the kingdom, on condition of observing its laws."⁽²⁾ And the bishop who held such language to his king, was the same Hincmar of Rheims, who had so energetically repelled the daring enterprizes of Adrian II. It seemed decreed that the monarch should have for his master, either the national clergy or the bishop of

(1) *Joannis 8 Epist.* ob. 67. (2) Millot's *Elem. of Hist. of France*, vol. 1. p. 194.

Rome; and already insecure against one of these powers, he inevitably sunk when they united.

John VIII. died in 882, and we may reckon up ten popes after him, in the course of the eighteen last years of the ninth century; none of whom had time to render themselves illustrious by any very great undertaking. We shall only observe, that the election of Stephen V. in 885, was, after his installation, examined and confirmed by Charles-le-Gros;⁽¹⁾ that the deposition of this emperor in 887, was pronounced, not by the ecclesiastical authority, but by an assembly of the German and French nobles;⁽²⁾ that Formosus, in interfering in a dispute between Eudes and Charles the Simple, spoke at least a language more evangelical, and less haughty, than in similar circumstances had been held by Nicholas II. Adrian II. and John VIII. Formosus crowned two emperors, Lambert in 892, Arnulf in 896: and in both these ceremonies, the Romans took the oath of fidelity to the prince, 'saving the faith pledged to the Lord Formosus.'⁽³⁾ This pope, in other respects, is only famous from the proceedings which his memory, and his corpse, experienced from his successors:—deplorable scenes, which are, however, foreign to the subject of which we treat.

In 898, during the pontificate of John IX. Arnulf

(1) Art of verifying dates. vol. i. p. 267.

(2) Muratori's Annals of Italy, year 887.

(3) Liutprand. b. i. c. 8.—St. Marc. Ab. of Hist of Italy, v. ii. p. 63.

was declared an usurper of the imperial dignity, and Lambert re-assumed the title of Emperor. The pope held, on this occasion, a council at Ravenna, in which the sovereignty of the Western Emperors over Rome and the Ecclesiastical State, was recognized by many decrees.⁽¹⁾ The following is the most important:—"Considering that on the death of a sovereign pontiff, the Church is exposed to great and many disorders, when the new pope is consecrated without the privity of the emperor, and without waiting for his commissioners, whose authority might prevent the outrages and irregularities which generally attend on this ceremony; we desire that for the future the pope be nominated by the bishops and clergy, on being proposed by the senate and the people; that, after having thus solemnly and publicly elected him, they consecrate him in presence of the commissioners of the emperor; and, that no person dare, with impunity, under any pretence whatsoever, exact of him other promises or other oaths, than those which have been sanctioned by ancient usage; so that the church may neither suffer scandal nor injury, and that the authority of the emperor may receive no detriment."

But, in thus rendering homage to the imperial dignity, the popes seem to have reserved to them-

(1) St. Marc. Ab. of Hist. of Italy, vol. 2, p. 636—640.

selves, by way of compensation, the right of conferring it. After the death of Lambert, and of Arnulf, the bishops and lords of Bavaria elected, in 899, a son of Arnulf, named Louis, and solicited the pope to confirm this election, excusing themselves for having made it without his approbation, in consequence of the pagans, that is the Hungarians, having cut off the passage into Italy. Neither John IX. nor his successor, Benedict IV. were in haste to crown Louis. After the example of John VIII. they endeavoured to accustom the Romans to dispense with an emperor: the empire remained vacant till 901.

We must recognize in the partition of the States of Charlemagne between the sons of Louis-le-Debonnaire, and in the subsequent subdivisions of these states, the principal cause of the degradation of the civil authority, and the metamorphose of the pontifical ministry into a tremendous power. "Hence," says Velly,⁽¹⁾ "these enterprises of the popes, who, considering themselves as the dispensers of an empire, of which they were only the first subjects, assumed under the cloak of a purely spiritual authority, to dispose sovereignly of empires. Hence, the enormous power of the bishops, who, after having dethroned the father at the solicitation of the children, believed themselves empowered to

(1) Hist. of France. vol. 2 (in 12), p. 244.

"elect, confirm or depose their masters ; ambitious
 "prelates, rather warriors than priests, scarcely
 "knowing how to read, much less write ; terrible
 "notwithstanding, as well from the spiritual thunders
 "which they after, as Pasquier expresses it, tilted
 "too freely and carelessly with, as from the tem-
 "poral power which they had usurped in their cities
 "and dioceses. Hence these almost independent
 "principalities that the monks established in those
 "countries, where some years before they tilled, with
 "their own hands, the grounds which a pious liber-
 "ality had abandoned to them."

Although there had been no authentic act which
 erected the pope into a sovereign, and which freed
 from the imperial supremacy the authority which he
 exercised at Rome, his power nevertheless became
 in effect independent ; and as, in consecrating the
 emperors, he already considered himself as creating
 them, since he dared to speak of their dignity as a
 favour for which they were indebted to him, he
 doubtless had the means of placing limits to that
 obedience which they might be desirous of exacting
 from him. Far from imposing laws on him in his
 own states, they often acquiesced in his, even in the
 exercise of their civil rights and political powers. In
 the course of the succeeding centuries, every thing
 depended, not on the progress of ignorance or the
 return of knowledge alone, but on the personal
 energy of the kings and of the pontiffs individually.

CHAPTER III.

TENTH CENTURY.

PROTESTANTS take a malicious pleasure in portraying the court of Rome in the tenth century, and in extracting from Liutprand a contemporary author, the unedifying details with which he has filled up the ecclesiastical and political history of this period. But without examining whether the relations of this writer are as faithful as they are satirical, we may say with Fleury,⁽¹⁾ that Rome under these unworthy popes ceased not to be the centre of Christendom. We may add with other theologians, that so many abuses not having drawn after them the destruction of the Holy See, their very excess serves to manifest the care of Providence to maintain this visible focus of Catholic unity. For the rest, the private lives of the popes is not the object which claims our attention; we shall only consider their political relations with secular governments. In confining ourselves to this view, we shall not be troubled with unravelling the thread of succession, somewhat con-

(1) Discour. 4, a. 10.

fused, of thirty popes, who, in the course of this century, have occupied, more or less legitimately, the chair of St. Peter. When two shall start up at the same moment, we shall not stop to inquire which of them is the true one; we shall not take on us to decide between Baronius, who never wishes to recognize save the worthiest or the most canonically elected, and those authors who adhere to the most effective, that is, to the man who has more decisively exercised the pontifical power: these are delicate questions, requiring long discussions, and the investigation of a multitude of petty circumstances, foreign to the history of those great disputes between the pontiffs and kings. In the midst of those things and of those changes, two points appear to us incontrovertible; one, that the Holy See was at this period reckoned in the number of temporal governments; the other, that occupied with its own affairs, and the interior troubles which agitated it, it lost, without, a large portion of the influence and power which the preceding century had bequeathed to it. The first of these consequences is confirmed by Constantine Porphyrogenites, the Greek Emperor, who, previous to the middle of the tenth century, digested a sort of statistical table of the east and of the west: he in it represents the popes as 'sovereigns of Rome';⁽¹⁾

(1) Ρωμα : . . . ἰδιοκρατορίας εἶχεν, καὶ δεσποζοῦσθαι κυρίως παρὰ τῆς κατὰ καιρὸν Πάπας. De Lemat. imp. l. 2, ch. 10, p. 27.

Even in modifying this incorrect expression, we must admit, that this text places the bishops of Rome in the rank of princes who immediately governed states. As to the second conclusion, it followed almost of course: pleasure ever extinguishes the fire of ambition, discord shackles power, and the intrigues which employ us within, suspend our exterior projects; he who is compelled to defend himself in the bosom of his palace never meditates distant attacks. The excommunications so familiar to Gregory III. to Nicholas I. and to John VIII. menace, therefore, less frequently crowned heads. Theological opinions themselves become less exposed to anathemas. We find no general council, no new heresy in the tenth century.

This century may be divided into four epochs. The first would terminate in 932; it would be characterised by the influence of Theodore and her daughters. The second would present the administration of Alberic, and of his son, up to 962. The third would open with the coronation of Otho as emperor, and would terminate with the death of this prince in 973. The consulate of Crescentius would designate the fourth.

The inhabitants of Rome had never ceased to nourish ideas of independence; old customs led them back to republican forms. Their city did not belong to the kingdom of Italy; it held only from the imperial crown, which the pontiff himself had

so far the disposal of, as occasionally to keep it in reserve. We have noticed examples of this interregnum of the empire, under John VIII. and John IX. In 905, when the eyes of Louis III. who on this account was called the Blind, had been put out, the Romans ceased to insert his name in the public acts; and, although this unfortunate prince persevered in assuming the title of emperor, the imperial dignity actually remained vacant, until the coronation of Berengarius in 915.⁽¹⁾ During these interregnums, Rome accustomed herself to consider her pontiff alone as her sovereign, or rather her own citizens, nobles, priests, or, sometimes even plebeians. This collective sovereign, created popes, and sometimes unmade them. There had been seven or eight of these elections, or revolutions, in the course of the first fourteen years of the tenth century; and, each time, two factions were seen attacking each other, into which the Roman nobility was divided, from the time of the proceedings against the memory of Formosus. Some authors discover at this era, the origin of the Guelphs, and Ghibelins: we must confess, we only behold as yet the families which disputed the papacy, or the influence exercised, as well over the electors as over the elected. A party in favour of the Western Emperors is the least to be distinguished in the midst

(1) St. Marc. Ab. Hist. of Italy, vol. 2, pa. 658.

of these troubles ; we rather have to remark a tendency, weak at first, towards the Greek emperors, but which disposition became much more evident towards the close of this century. From the year 907, Rome behaved with complaisance to Leo VI. called the Philosopher, whose fourth marriage had been censured by the patriarch of Constantinople. The power of the clergy was, at this period, more formidable at a distance from Rome than in the capital of Christendom. William of Aquitaine, in founding the abbey of Cluni, about the year 910, declared, that these monks should never be subject to him, to his relatives, or descendants, nor to any earthly power.⁽¹⁾ In Northern and Western Europe the monks inherited, without being inherited of, and the edifice of their formidable opulence rapidly a rose. They made not such a hasty progress in the Roman State, where, under ephemeral popes, the elective chiefs of a species of republic, the intrigues attached to such a system occupied every mind. In the midst of these political movements, three female patricians arose, provided with all the resources of influence with which rank, talents and beauty could arm ambition. Theodora, the mother of the other two, seduced the nobles, calmed faction, subjected to her authority the Church itself, and

(1) Concilior. vol. 9. p. 565—Bibl. Clun. p. 2—Fleury's Eccl. Hist. b. 54, n. 45.

finally softened public manners by corrupting them. One of her lovers, at first bishop of Bologna, she raised to the archbishopric of Ravenna, and, subsequently, to the sovereign pontificate, which he filled under the name of John X. from 914 to 928. We cannot make a favorable report of the holiness of this pontiff, but in his character, as head of a state, he merits fewer reproaches. He did not dispute the rights of other sovereigns; he acknowledged that it belonged to kings alone to invest bishops;⁽¹⁾ he reconciled the princes whose rivalries destroyed Italy: on placing the imperial crown on the head of Berengarius, he endeavoured to ally him with the Greek Emperor against the Saracens, their common enemies: he himself marched against these Mahometans, fought them with more bravery than belongs to the office of a pope, and drove them from the neighbourhood of Rome.

It appears that Theodora died previous to the year 928. Marosia, one of her daughters, after having united herself in second marriage with Guy of Tuscany, dethroned John and cast him into prison, where in a short time he died, no doubt a violent death. He had for successors, a Leo VI. and a Stephen VII.. creatures of Marosia's, and finally John XI. a young man of twenty to twenty-five years of age, of whom she herself was the mother,

(1) Concil. Gall. vol. 3, p. 665.

and whom she had borne to Pope Sergius II. according to Fleury,⁽¹⁾ Baronius,⁽²⁾ Sigonius,⁽³⁾ and many others, who adopt on this head the relation of Liutprand.⁽⁴⁾ Muratori⁽⁵⁾ makes Alberic, the first husband of Marosia, the father of John XI. However it be, this woman governed Rome, under the pontificate of her son, to the year 982, the era of a new revolution. Marosia in her third nuptials took for husband Hugues king of Provence, maternal brother of Gay of Tuscany. This third spouse being disposed to maltreat Alberic, another son of Marosia's, a party devoted to young Alberic put him at the head of affairs: Hugues was driven from the city, and John XI. continued to fill in form, but without any actual power, the chair of St. Peter.

At this period commenced, in Rome, a secular government which continued about thirty years. Alberic with the title of consul or patrician, selected the popes, ruled them, and held them in dependence. Out of the city, the popes only possessed the property in the land, which they had infeoffed in order to secure a part. An armed nobility had arisen in their domains, which were now no longer part of their states, or which had never so been. They were ignorant, in those barbarous ages, of the art of distant

(1) Eccles. Hist. b. 55. n. 5. (2) Annal. Eccl. ad. ann. 931.

(3) De regnorum Ital. b. 6, p. 400. (4) Lib. 3, c. 12, p. 410.

(5) Annali d'Italia ad ann. 931.

government, the art of establishing over extensive territories an energetic system of unity, subordination, and connection. This art has been perfected only in modern times; and its absence in the middle ages, was probably a principal cause of the establishment and progress of feudal anarchy. They knew not how to retain an empire of any extent, but by parcelling it out to vassals, who were desirous of becoming independent, wherever the personal weakness of their liege lord permitted them to become so. The pope, therefore, from 932 till towards 956, was but bishop of Rome, without any secular power, and his spiritual influence was very much restricted. Properly speaking, the Emperor of the West had also disappeared: for Henry the Fowler did not assume this title in his diplomas: he characterised himself only as 'patron' or 'advocate' of the Romans:⁽¹⁾ and this vain title, below even that of patrician, embraced no authority, no duty, no political relation. With what independence Alberic ruled his fellow citizens, we can judge: he convoked them periodically in national assemblies; he preserved or renewed in the midst of them, the republican forms he supposed favourable to the support of his personal authority. Alberic died in 954; and his son Octavian, who succeeded him, thought it requisite to strengthen the civil power by re-annexing it to the pontifical dignity: he became

(1) Art of verifying dates, vol. 2, p. 10.

pope in 956, and took the title of John XII. This double power would have been adequate to the restoration of the Holy See, if the extreme youth of John, the mediocrity of his talents, and the enterprises of Berengarius II. king of Italy, had not led to the re-establishment of the imperial dignity. John having need of Otho King of Germany to oppose to Berengarius, he crowned him emperor in 962.

Berengarius and his son Adalbert were deposed : Otho reunited to his kingdom of Germany, that of Italy, and the imperial crown. In order to acquire such extensive power, he made most magnificent promises to the Roman Church, and received in return the oaths and the homage of the pope. These documents of Otho's and of John are still in existence : Gratian has delivered them to us in his canonical compilation ; and if their authenticity be disputed, the source is unquestionable. ⁽¹⁾ Otho confirmed the donations of Pepin, of Charlemagne, and of Louis I. he extended them perhaps, but expressly reserving to himself, the sovereignty over the city of Rome and all the ecclesiastical domains : " saving in every respect, he says, our own power and that of our son and our successors." ⁽²⁾ The constitutions which required

(1) Liutprand, b. 6, c. 6.—Pagi. Crit. Ann. Baron. ann. 962—Fleury. Eccles. Hist. b. 56, n. 1.

(2) " This clause," says Fleury, " shews, that the Emperor " always preserved to himself the sovereignty and jurisdiction " over Rome, and all places embraced in this donation : and " the sequel of history will prove it."

the emperor's consent in the installation of a pope were renewed : Otho considered himself even invested with a right to depose the Roman pontiffs, and deferred not to lay hold on an occasion for exercising it. Scarcely had he left Rome, when John XII. measuring with terror the extent of the imperial authority, repented having re-established it, and conceived the idea of getting rid of it : Berengarius and Adalbert, with whom he had promised to hold no intercourse, were to assist him in this undertaking. The emperor who was soon apprised of it, received at the same time some relation respecting the private conduct of the pontiff : it was not the most edifying. Otho, appeared to pay but little attention to these recitals. " The pope, said he, is a child ; the example of worthy men may convert him ; prudent remonstrance may draw him from the precipice down which he is ready to cast himself." John received very ill these paternal counsels ; he drew Adalbert to Rome, affected receiving him with pomp, collected troops, and openly revolted against the emperor, in defiance of the approach of this prince and his army. But the forces were too unequal : John was compelled to fly to Capua with Adalbert. Otho entered Rome, and after receiving from the Romans an oath not to recognize any pope not approved of by the emperor,

(1) Eccles. Hist. b. 56. n. 6.

he wrote to John XII. a letter, which Fleury⁽¹⁾ relates in these words :

“ Being come to Rome for the service of God,
 “ when we demanded of the bishops and cardinals
 “ the occasion of your absence, they advanced
 “ against you things so shameful that they would be
 “ unworthy the folk of the theatre. All, clergy as
 “ well as laity, accuse you of homicide, perjury, sa-
 “ crilege, incest with your relatives, and with two
 “ sisters, and with having invoked irreverently Ju-
 “ piter, Venus, and other demons. We therefore
 “ beg of you to hasten instantly to exculpate your-
 “ self from all these charges. If you have any ap-
 “ prehensions from the insolence of the people, we
 “ promise you that nothing shall be done contrary
 “ to the canons.”

In reply the pope declared that he would excommunicate the bishops who should dare to co-operate in the election of a sovereign pontiff. This menace did not impede the council assembled by Otho, from deposing John XII, and electing Leo VIII., notwithstanding some nobles attached to the family of Alberic excited two seditions, one under the very eyes of the emperor, the other immediately after his departure. The second of these commotions replaced John on the pontifical throne, which he stained on this occasion with the most horrible vengeance : he confined himself not to excommunications, but caused to be executed or mutilated all

(1) Eccles. Hist. b. 56. n. 6.

who had concurred in his deposition. His sudden death suspended the course of these cruel executions : he perished from a stroke on the temple, applied at night by the hand of some secret enemy, no doubt by one of the husbands outraged by the Holy Father.⁽¹⁾ The Romans in contempt of all the oaths they had taken to the emperor, gave him a successor in Benedict V : but Leo VIII. who had taken refuge with Otho, was soon led back to Rome by this prince ; and Benedict the true pope according to Baronius,⁽²⁾ acknowledged himself the anti-pope at the feet of the head of the empire, stripped himself of his pontifical vestments, sought pardon for having dared to assume them, and finally offered his homage to Leo as the legitimate successor of St. Peter.⁽³⁾ The German publicists⁽⁴⁾ have no doubt of the authenticity of an act, which Otho caused Leo to subscribe at the time, addressed to the clergy and people of Rome : it is stated in it, that no person for the future shall have the privilege of electing the pope, or other bishop, without the emperor's

(1) Bellarmine, says John XII, was **ALMOST** the most vicious of the popes. *Fuit feri omnium deterrimus. De Rom. pontif. l. 2. c. 29.*

(2) Ann. Eccles. ad. ann. 964.

(3) Lütprand. l. 6. c. ult.—Vita Joannis xii. vol. 3. Rer. Ital. l. ii. pa. 328.

(4) See Pleffell. Abr. Chron. of the History of the Public Rights of Germany. ann. 964 ; Koch's Sketch of the Revolutions of Europe. 3d period &c.

consent ; that the bishops elected by the clergy and the people shall not be consecrated until the emperor shall have confirmed the election, with the exception, however, of certain prelacies, the investiture of which the emperor cedes to the archbishops ; that Otho, king of the Germans, and his successors in the kingdom of Italy, shall have the power in perpetuity of selecting those who shall reign after them ; and that of nominating the popes, as well as the archbishops and bishops who receive from these princes their investiture “ by the cross and the ring.” With the exception of these last words the act is delivered down to us in Grotius’s decree ; yet some Italian authors consider it apocryphal, without, assigning any other reason for this opinion than the enormous extent⁽¹⁾ which this constitution seems to confer on the imperial power. We may, however, assert in this place, that though the authenticity of this text be not very rigorously insisted on, the testimony of contemporary historians⁽²⁾ invariably proves, that Otho obliged Leo VIII. to subscribe an explicit recognition of the imperial rights.

(1) These decrees are inventions in which we find exorbitant concessions to the imperial power, as well in the spiritualities as temporalities of the Church of Rome. Cardinal Baronius in his *Ecclesiastical Annals*, 964, father Pagi in his *Critique on Baronius*, and others, have wisely rejected similar impostures. Muratori’s *Annals of Italy*, year 964. vol. 5. p. 410.

(2) Liutprand. l. 6, c. 6.—See Yvo Pannom. l. 8. c. 136 ; Gratiani *Decretum* dis. c. 73 ; De Marca *Concord.* l. 8, c. 12 ; St. Marc. Abd. Hist. of Italy, vol. 4. dog. 1167, 1185.

The recent revolt of John XII. sufficed to excite in the emperor an anxiety for this new guarantee : and Leo, his own creature, had no power of placing restrictions to it. The act was such as Otho willed it to be ; and this prince, a conqueror and a benefactor, would not rest satisfied with an ambiguous formula.

Leo VIII. and Benedict V. died in 965 ; the commissioners of Otho caused the election of John XIII. but the Romans revolted against this new pope, and banished him. Otho was obliged to return into Italy, and hasten to Rome to subdue the seditious and restore the pontiff. John could forgive none of his enemies : he signalized his return by atrocious vengeance, of which the emperor condescended to become the accomplice and the instrument. They have tarnished the glory of this prince, and justified the indifferent reception, at this period, of one of his ambassadors to the Greek emperor, Nicephoras Phocas. "The impiety of thy master, said the emperor of Constantinople to the ambassador of Otho, "does not allow us to receive thee honorably : thy "master has become the tyrant of his Roman subjects ; he has exiled some, he has torn out the "eyes of others ; he has exterminated one-half of his "people by the sword and by the scaffold." The ambassador to whom this discourse was addressed, was the historian Liutprand, who himself relates it.⁽¹⁾

(1) Liutprand. ann. 968 : Fleury Hist. Eccles. l. 66, n. 20.

Otho, however, was not cruel by nature ; in this instance he only yielded to the importunities of the vindictive John.

The successes of Otho the Great, his excursions to Rome from the year 962 to 966, laid the foundation of the power of the German emperors, his successors. He wished the imperial dignity to become for ever inseparable from the united kingdoms of Germany and Italy ; that Christendom in its full extent might form a republic which should recognize in the emperor its sole temporal head ; that it should be the privilege of this supreme chief, to convoke councils, command the armies of Christendom, establish or depose popes, to preside over, and to create kings. But in order to elevate himself to such a pinnacle of greatness, he had need to manœuvre the German bishops ; they, therefore, received from him enormous concessions. He distinguished the cities into two kinds, prefectorial, and royal, since imperial, and confided the government of the latter to the bishops, who laboured hard to render them episcopal. The bishops became Counts and Dukes with royal prerogatives, such as the administration of justice, privilege of coining money, collecting customs, and other public revenues. It was by the title of fiefs, and on condition of following him in his military expeditions, that Otho gratified them with such power and wealth : but these dangerous benefactions, in abridging the domains of the crown and the revenues of the State,

served the ends of future anarchy and revolution. The clergy, as well the secular as regular, required in most of the countries of Europe a formidable power, which would have been further encreased, if already some symptoms of rivalry between these two bodies had not fettered their common aggrandizement. Converts multiplied from day to day, and enriched themselves almost beyond bounds. The Church's period of 1000 years was about to expire; and donations to the church, especially to monasteries, passed for the most certain assurance against eternal damnation. From the retirement of the cloisters arose important personages, before whom the thrones of the world were humbled. Dunstan, from Glastonbury Abbey, sprung forward to govern Great Britain, to insult queens, and subject kings to penance. Otho the Great was at this period the only prince of Christendom who fully ruled the ecclesiastical authority: and if there remained among any people, ideas or 'habitudes' of civil independence, it was among the Romans in the centre of Christianity itself.

The reign of Otho the Great, is the era to which we would willingly refer the origin of the two factions, the papal and imperial, since called those of the Guelphs and Ghibelins. But in the tenth century, the partizans of the pope, were only citizens, emulous of obtaining the independence of

their city or republic, and to withdraw their elective head from all domination. Some would have even preferred a civil magistracy simply, as that of Alberic; they united rather in opposition to the emperor, than in favor of the pontiffs chosen without, or in defiance of, his authority. Such were the elements of the factions, which revolted with John XII. which nominated Benedict V. and which repelled, as far as in their power, Leo VIII. and John XIII. The emperor had no partizans at Rome save his personal agents, and a few of the inhabitants; the rest were subjected only by his presence or his arms. Thus this pontifical faction which, in the sequel, appears to have supported the most monstrous excesses of pontifical ambition, was originally but a republican party, that more than once, it had been easy to engage in the destruction of the temporal power of the popes, by conferring on the Romans, and on some others of the cities of Italy, a suitable government.

Otho died in 973; and from his death to the pontificate of Gerbert or Sylvester II. the most remarkable events are, the accession of Hugh Capet to the throne of France, the excommunication pronounced against his son Robert, and the attempts of Crescentius to force Rome from the yokes of Otho II. and Otho III. the feeble successors of Otho the Great.

Crescentius was the son of Theodora, and, according to Fleury,⁽¹⁾ of Pope John X. We behold him governing Rome in quality of Consul towards 980; but it is probable that from the year 974, he exercised a considerable influence; stormy or weak pontificates restored the civil magistracy. Benedict VI. the successor of John XIII. had been dethroned, imprisoned, and strangled, or condemned to die of hunger. Boniface VII. the usurper of the Holy See, after having plundered the churches, fled with his booty to Constantinople: they hesitated not to fill his place, and the imperial influence determined the election in favor of Benedict VII. who belonged to the family of Alberic, now counts of Tusculum; a powerful family, by whom the Emperor Otho II. and his agents, strengthened the German party. But this emperor occupied in a war with the Greeks in the Duchy of Beneventum, feared to displease the Romans by taking too active a part in their affairs. He therefore prevented not Crescentius, who had obtained their confidence, from ruling both the city and its bishop. In 983, when Benedict VII. died, the Romans and their consul elected John XVI. Boniface, however, returned from Constantinople, made himself master of Rome and of the person of John,

(1) Hist. Eccles. l. 56, n. 36.

caused him to perish in a dungeon, and maintained himself during the space of eleven months, at the head of the city and of the church. There is reason to think that Crescentius contributed to the fall of Boniface, whom a sudden death snatched from the vengeance of the people. John XV. elected in 985, had disputes with the consul, who exiled him, and did not agree to see him until the pope had promised to respect the popular authority. In despite of this promise, Otho III. was called into Italy by John, who submitted with reluctance to the ascendancy of Crescentius. John died at the moment he expected to see himself delivered from this governor. Otho III. nominated for pope a German, who took the name of Gregory V. : this foreign pontiff elected by the influence of the Counts of Tusculum, on the approach of the imperial army, odious on every account to the Romans, became still more displeasing to them from German manners and hauteur.⁽¹⁾ It was at this moment Crescentius formed the project of replacing Rome under the sovereign authority of the Greek emperors, masters at once more gentle and more remote, accustomed to respect the privileges of the people, and under whose

(1) Bellarmine and others, have attributed to Gregory V. the institution of the seven electorates of the empire : this absurd opinion has been often refuted. See for example, Natal. Alex. Dissert. 18, in secul, 9 and 10 ; Maimbourg's Hist. of the decline of the empire, l. 2, &c. ; and Dupin's Treatise on the ecclesiastical power, p. 270.

protection the Neapolitans and Venetians breathed freely and prospered. Greek ambassadors proceeded to Rome under pretence of fulfilling a mission to the court of Otho ; they conferred with the consul, who deferred not to expel Gregory, and to replace him by a Greek named Philogathus, who from being bishop of Placentia, became pope or anti-pope under the name of John XVI. But Otho came to Rome, and laid hold of this new pontiff, whom Gregory condemned, in spite of the prayers of St. Nil, to lose his life by a series of the most horrible torments. Crescentius had retired to the wall of Adrian ; they affected to treat with him, they pledged themselves to respect his person : he relied on this promise given by the emperor, quitted the fortress, submitted himself to Otho, and was instantly beheaded with his most faithful partisans.

It was John XV. who filled the chair of St. Peter, when in 987 Hugh Capet dethroned the Carolingian race, and made himself king of France. This prince knew how to make this necessary revolution acceptable to the French nobles and bishops ; it proceeded without commotion, and above all without the intervention of the Roman Court. Hugh did not apply to John as Pepin before had done to Zachary ; and the happiness of not being indebted to the Holy See, for his elevation, was without doubt, one of the causes of the security of Hugh, the long duration of

his dynasty, and the propagation of those maxims of independence, which have distinguished and done honour to the Gallican church. These maxims were proclaimed from the reign of Hugh, by a bishop of Orleans, and by Gerbert archbishop of Rheims.⁽¹⁾ It was in the affair of an archbishop of this same city of Rheims, named Arnoul, who had betrayed the new king, and whom this prince had deposed. John wished to re-establish Arnoul and annul the election of Gerbert ; but the monarch was firm, and, while he lived, Gerbert remained in the See of Rheims, and Arnoul in the prison of Orleans.

Robert, son of Hugh, did not resist with equal success the attempts of Gregory V. Robert had married Bertha, although she was his relative in the fourth degree, and that he had been godfather of a son that she had by the Count of Chartres, her first husband. They exclaimed against a marriage made in contempt of two such serious impediments. Too much terrified by these clamours, Robert resolved to restore Arnoul to the See of Rheims : this complaisance by which he hoped to reconcile himself to the See of Rome, appeared but an indication of his weakness. The pope did not hesitate to declare the marriage void ; he excommunicated the two spouses, and Robert, compelled to part Bertha, married Constance. This pliability has been much urged against

(1) Velly's Hist. of France, vol. 2, p. 275, &c.

him; but after the re-establishment of Arnoul, a perseverance in retaining Bertha would have led almost infallibly to fatal consequences. We must consider that Robert was the second king of his family; that this new dynasty had scarcely reigned ten years; that Gerbert, one of the most judicious men of this epoch, had left the King of France in order to attach himself to Otho III.; that this emperor had appeared at the council in which Gregory V. had excommunicated the son of Hugh; and finally, that these anathemas were then so dreadful, that at the present day we can scarcely avoid suspecting exaggeration in what is related to us of their effects.⁽¹⁾ It was the first time France beheld herself placed under an interdict, and that she received the injunction to suspend the celebration of

(1) "I know," says Bossuet, "that Peter Damien assures us, that no person held intercourse with the king, except two servants for the necessary occasions of life. But, either those of whom the pious Cardinal received this information have exaggerated, or at least we must suppose that the public officers continued to exercise their duties, since without it the government could not subsist an instant. Besides if it were true, that the exercise of certain public offices had been suspended for some time, all history would testify to this interregnum, and relate the confusion which would have resulted from it." *Defence of the Gall. Cler.* p. 2. l. 6, c. 27.

Bossuet also observes, that at the moment in which Robert was struck with these terrible anathemas, nobody thought or asserted that this excommunication could carry the least attaint to the sovereign authority of this monarch.

the divine offices ; the administration of the sacrament to adults, and religious sepulture to the dead. We are assured that Robert, when excommunicated, was abandoned by his courtiers, his relations, his household, and that even two servants who remained with him caused to pass through the fire the things which he had touched.

This Gerbert whom we have mentioned, became pope after Gregory V. by the name of Sylvester II. It was he who, being archbishop of Rheims, and seeing himself condemned by John XV. had expressed himself in these words : “ If the bishop of Rome sin against his brother, and that, often warned, he obey not the church, he ought to be regarded as a publican : the more elevated the rank, the greater the fall. When St. Gregory said, that the church ought to fear the sentence of its pastors, whether just or unjust, he did not mean to recommend this fear to the bishops, who do not constitute the flock, but are the heads and leaders thereof. Let us not furnish our enemies with an occasion to suppose that the priesthood, which is one in every church, be in such sort subject to a sovereign pontiff, that if this pontiff suffer himself to be corrupted by money, favor, fear or ignorance, no person can hence be a bishop, unless he upholds himself by such means. The church has for a rule, the Scriptures, the decrees, and the canons of the Holy

"See, when these are conformable to Scripture."⁽¹⁾ Driven from Rheims, Gerbert was received by Otho the III., who created him, first, archbishop of Ravenna, then head of the church in 998. He died in 1002, after having in this short pontificate, confirmed as far as in his power, the imperial authority at Rome, and refused the indications of independence which had agitated her citizens.

We cannot take leave of the 10th century, without lamenting the gross ignorance into which Europe was plunged. Possessions were regulated by custom, and transactions pursued by remembrance alone. In the midst of these people, these nobles, these kings, who knew neither how to read nor write, the rudest instruction was, in the clergy suffered to put them in possession of the civil administration. "The ecclesiastics, says Pasquier,⁽²⁾ divide among themselves the keys as well of religion as of letters, altho' so to speak, they derived from these only sufficient provision for their "cubs." They alone could spell ancient writings, and trace some letters. They assumed the dictating of wills, the regulation of marriages, contracts,

(1) Concilior. vol. 9, p. 744.

A discourse which Arnoul bishop of Orleans, pronounced in the Council of Rheims in 991, has been occasionally cited under the name of Gerbert, which discourse may be read in the history of this council revised by Gerbert. This very remarkable document is too long to be inserted here.

(2) Researches on France, b. 8, c. 13.

and public acts; they extorted legacies and donations, they freed themselves from the secular jurisdiction, and endeavoured to subject all things to a jurisprudence of their own. (1)

(1) Velly's Hist. of France, vol. 2, p. 293.

CHAPTER IV.

ENTERPRISES OF THE POPES OF THE ELEVENTH CENTURY.

A short time after the death of Sylvester II. a patrician, consuls, twelve senators, a prefect, and popular assemblies, were seen to re-appear at Rome. A second Crescentius, the son perhaps of the first, filled the prefectorial office. As to the patrician, who was named John, and who was the principal author of the re-establishment of this civil magistracy, he is expressly designated to us as son of the first Crescentius. But in 1013, Henry II. came to Rome : he received from Pope Benedict VIII. the imperial crown : and the Romans, in spite of their menaces, lost once more their independence. Baronius⁽¹⁾ relates a diploma in which Henry confirms the donations of his predecessors : it is added that Benedict, before receiving this emperor, made him swear that he would be faithful to the pope, and regard himself only as the defender and advocate of the Roman Church. Glaber,⁽²⁾ a contemporary historian, after having related this

(1) Ann. Eccles. ad ann. 1014. vol. 9, p. 48.

(2) Hiclor, l. 1, c. ult.

coronation, says, that it appears very reasonable, and a thing well established, that no prince could take the title of emperor, 'save he whom the pope shall have chosen and clothed with the insignia of this dignity:' words which seem much less to express in this place the sentiment of an individual than an opinion generally established in his time. However Mabillon⁽¹⁾ and Muratori⁽²⁾ deny the authenticity of the diploma instanced by Baronius; and we see that in 1020, when Benedict VIII. resorted to Henry in Germany, this prince confirmed the donations of his predecessors with an express reservation of the imperial sovereignty.

John XIX. the successor of Benedict, was banished by the Romans, and restored by the Emperor Conrade, in 1033, whom he had crowned in 1027. After John, who survived his re-establishment but a short time, his nephew was elected pope, and took the name of Benedict IX. when he, according to Glaber,⁽³⁾ was but ten years of age. The elevation of an infant to the pontifical throne is not probable; but all circumstances concur in proving that Benedict IX. was in 1033 but a very young man: he bore to the chair of St. Peter the thoughtlessness and irregularities of youth; and he was equally reproached for his robberies and assassina-

(1) *Annal. Bened. ann.* 1014.

(2) *Annals of Italy*, year 1014, vol. 6, p. 45.

(3) *Lib. 4, c. 5, l. 5, c. 5.*

tions as for his gallantries. Behold how he is portrayed to us by Victor III. one of his successors and contemporaries⁽¹⁾: "I am horrified to state how shameful was the life which Benedict led, how dissolute, how detestable. Therefore I shall commence my relation at the period when God took pity on his holy church. After Benedict IX. had wearied the Romans with his thefts, his murders, his abominations, the excess of his villainy became insupportable; he was expelled by the people: and to replace him they elected for a stipulated price, in contempt of the holy canons, John, Bishop of Sabine, who filled the Holy See for three months only, under the name of Sylvester III. Benedict IX. who was descended from the Consuls of Rome, and whom a powerful party recalled, wasted the environs of the city, and by the aid of his soldiers, compelled Sylvester to retire ignominiously to his bishoprick of Sabine. Benedict in resuming the tiara, did not leave behind him his manners, always hateful to the clergy, and to the people, whom his irregularities continued to disgust; terrified with the outcry raised against his crimes, given up besides to voluptuous pleasures, and more disposed to live as an Epicurean than as a pontiff, he adopted the resolution of selling the pontificate to the arch-priest John, who paid him a considerable sum

(1) Dialo. 1: 3, in app. Chron. Cassin. vol. 1.

“for it. This John nevertheless passed in the city
 “for one of the best of the ecclesiastics; and while
 “Benedict took up his abode in houses of pleasure,
 “John under the name of Gregory VI. governed the
 “church two years and three months, till the arrival
 “of Henry III., king of Germany.” Such is the picture drawn for us by a pope, of the condition of the Holy See, under three popes, his predecessors, from 1033 to 1046.

It may be proper to observe, that Benedict the VIII. his brother John XIX. and their nephew, Benedict IX. were of the house of the Alberics counts of Tusculum. This is one of the first examples of pontifical nepotism, or of the efforts of a family to perpetuate itself in the Holy See.

We have seen by the statement of Victor III. that in 1045, there existed at the same moment three popes; to wit, Benedict IX. who had retired to his castles; Sylvester III. exiled to his original bishopric; and Gregory VI. seated at Rome, since 1044. This last pontiff, who had purchased his place, wished to reap its fruits, and could not behold them without grief considerably lessened from the loss of many domains, usurped by seculars from the Holy See. He took up arms to reconquer them, without neglecting, however, the excommunication of their possessors. These were the principal acts of his pontifical court. He is represented to us, as a very ignorant man, even for the age in which he

lived ; it is doubtful whether he could read ;⁽¹⁾ and history relates, that a coadjutor was given him to perform the pastoral functions, while he was signaling himself by warlike exploits.⁽²⁾

At the moment of Henry's arrival at Rome, the three popes were there, Benedict IX. at the palace of the Lateran, Sylvester III. at the Vatican, and Gregory VI. or John his coadjutor, at Saint-Mary-Major. Henry deposed the whole three without any difficulty, and caused a fourth to be elected, Suidger, bishop of Bamberg, who took the name of Clement II. To this Clement succeeded Damasius II. Leo IX. and Victor II. all like himself, the creatures of Henry III. The ten years of this emperor's reign, are one of the epochs during which the Romans and the popes have been most decidedly subject to the imperial power.

Leo IX. the relative and subject of Henry, indemnified himself for that obedience which he could not refuse to this emperor, by acts of authority against other sovereigns. He held a council at Rheims in defiance of the King of France, Henry I. proclaimed in it the pontifical supremacy, and deposed and excommunicated prelates and seculars. In a council at Rome, he decreed that the females whom the priests should abuse in the bosom of this city, should remain slaves of the palace

(1) *Amolice Augerius de Vitis Pontificum*, p. 340.

(2) *Ibid.*

of the Lateran.⁽¹⁾ This pontiff, whom they have placed in the catalogue of saints, should rather have obtained a place in the rank of warriors. He led an army against the Normans, who defeated him, and kept him prisoner at Beneventum. His pontificate is memorable from the completion of the schism of the Greek church; but the religious discussions which belong to the history of this schism, exceed the limits of our subject: the principal political result of this division was, to extinguish the already very feeble influence of the Emperors of the East over the affairs of Italy.

'Tis under Leo IX. that Hildebrand begins to be distinguished, a man the most celebrated of his age. Born in Tuscany, where his father, they say, was a carpenter, he studied in France, embraced the monastic rule there, and returned into Italy to give counsel to Leo IX. Nicholas II. and Alexander II. and finally to succeed them in the pontifical throne. The idea of a universal theocracy had assumed in his fiery and iron soul the character of a passion; all his life was devoted to the undertaking. To assure the empire of the priesthood over the rest of mankind, he saw the necessity of reforming their manners and concentrating their relations, to isolate them more strictly, and to form them into one great family, the members of which

(1) Fleury's Eccles. Hist. l. 59, n. 75.

should no longer recollect having belonged to a secular one. Ecclesiastical celibacy was as yet but a general practice, introduced into and renewed in almost every church, but in almost all, nevertheless, modified by exceptions or transgressions. Hildebrand resolved to reduce it to a rigorous law: at his instigation, Stephen IX. in 1058 declared marriage incompatible with the priesthood; treated as concubines all the priest's wives; and excommunicated both them and their husbands, if the union was not instantly divided. The clergy made some resistance; the priests of Milan, especially, objected the permission granted them by St. Ambrose to marry, but in first nuptials only, and provided it was with a virgin.⁽¹⁾ Hildebrand to cut these remonstrances short, classed in the number of heretics the obstinate gain-sayers.⁽²⁾

Under Nicholas II. Hildebrand changed the mode of electing the popes. Until his time, all the Romans, clergy, nobles, and people, had assisted in these elections. It was ruled that for the future they should be selected by the cardinal bishops alone, to whom the cardinal clerks should afterwards be united, and they were to close the matter by demanding the approbation of the rest of the clergy, and even that of the body of the faithful. The cardinal bishops

(1) Landulph Senior. *Hist. Mediol.* l. 3. et 4;—*Rer. Italie.* v. 4, p. 96, &c.—Cocio. *Hist. of Milan*, pa. 1, b. 6, &c.

(2) *Baron. Ann. eccles. ad ann. 1059.*

are no others than the seven bishops of the Roman territory : Nicholas, in the same decree calls them his fellow countrymen, “ *comprovinciales episcopi*.⁽¹⁾ With respect to the cardinal priests or clerks, it was those who administered the offices of the twenty-eight principal churches of the city of Rome. Long before Nicholas, these twenty-eight priests and these bishops, had been designated by the appellation of ‘cardinals’; but now for the first time, behold them invested with the exclusive and determinate privilege of nominating the new popes : the rest of the clergy and the people preserve no more than the power of rejecting the proposed. Such was the origin of the Electoral College of Cardinals ; a college, however, which received subsequently, and by degrees, its present organization. It had, as we see, for its first founder, Nicholas II. or rather Hildebrand. Let us not omit the clause which terminates this decree :
 ‘ saving the honour and respect due to king Henry,
 ‘ future emperor, to whom the Apostolic See has given
 ‘ the personal privilege of concurring in the election
 ‘ by consent.’⁽²⁾ The rights of the emperor were as yet too firmly founded to permit being silent on them : they satisfy themselves by misrepresenting them, and by referring to them as a concession granted by

(1) Mabillon. *Mus. Italic.* v. 2. p. 114.—Fra. Pagi. *Breviar. Pontif. Roman.* vol. 2, p. 374.—Thomassin. *Dicpl. vet. et nov.* l. 2, c. 115, 116.—Muratori. *de origine Cardinalatus.* Ant. Ital. v. 6. p. 166.

(2) *Concilior.* tom. 9. p. 11, 35.—Fleury *Hist. Eccles.* l. 60 n 31.

the Holy See, as a personal privilege with which it was pleased to gratify Henry.

In founding ecclesiastical benefices, kings and nobles had reserved to themselves the right of appointing to them; none could possess them until after they had been invested by the donor or his heirs. It was a simple application of the feudal system to ecclesiastical domains; but the Court of Rome complained of the bad selection to which this system led, and especially of the bargains which were driven between the patrons and the candidates. A vast number of benefices were disposed of no doubt: but this traffic has subsisted under every regime; the question never has been other than that of knowing for whose benefit it should be carried on. Hildebrand armed himself with a sanctified zeal against this abuse: to extinguish it, he ventured to dictate for Nicholas II. a decree, which prohibited the acceptance of a benefice from a layman, even gratuitously.⁽¹⁾ This decree, published in 1059, in the same council which confined to the cardinals the election of the popes, presented itself under the form of a special rule against simony. Little attention was at first given to it, it was rarely carried into effect; but we are bound to point it out here as the prelude to the quarrels about investitures.

For a long period, kings and nobles had invested prelates in presenting them with a switch or branch,

(1) Baronius. *Ann. eccles. ad. ann. 1069, 5, 32, 34.*

as is practised in the investiture of counts and knights. But the clergy, from the tenth century, had more than once thought to deprive the patrons of benefices of their privileges, by proceeding without delay to the election and consecration of the prelate. It seemed allowed on all sides, that the consecration rendered the election irrevocable : and if the patron layman had been advertised of neither one nor the other, he lost the opportunity of bestowing or selling the dignity. To escape this stratagem, the sovereigns decreed that, immediately after the death of a prelate, the ring and crozier should be transferred to his successor only in investing him. Adam de Breme⁽¹⁾ refers to the reign of Louis le Debonnaire this form of investiture : but it is infinitely more probable, that it was not introduced until under Otho the Great, after the middle of the tenth century : it was almost universally established in the eleventh.⁽²⁾ Hildebrand promised to himself its abolition, firstly, because it secured to laymen the right of nomination or of sale, and further, as it caused two symbols of the ecclesiastical power to pass through the hands of the profane.

Far from reconciling himself to the continuance of a ceremony, in which the secular authority seemed to confer sacerdotal offices, he pretended, on the contrary, to erect the head of the church into the supreme dispenser of temporal crowns. From the year 1059,

(1) Hist. eccles. l. 1. n. 2.

(2) Humbert. l. 3. contra Simonaicus c. 7 et 11.

he made, in the name of Nicholas II. the first essay of this system. Nicholas received the homage of the Romans, and created one of their chiefs Duke of Apulia Calabria and Sicily, on condition that as vassal of the Apostolic See, this chief, named Robert Guiscard, should take to the Roman Church the oath of fidelity, pledge himself in the same character to pay it an annual tribute, and enter into the same engagement for his successors.⁽¹⁾ Such was the origin of the kingdom of Naples ; and this strange concession stripped the emperors of Constantinople of every remnant of sovereignty over Grecia Major. Nicholas II. died in 1063 ; and to elect and instal his successor Alexander II. the imperial consent was in no way sought for. The court of Henry IV. then a minor, was offended, and caused another to be nominated pope, Cadaloo, who named himself Honourous II. Cadaloo defeated the army of Alexander, and succeeded in fixing himself in the Vatican ; but the duke of Tuscany drove him thence : Alexander was recognised as the true pontiff, and Hildebrand continued to reign.

Hildebrand did not sit in person in St. Peter's chair until 1073. We may be surprised he did not sooner occupy it ; some authors think the pride and inflexibility of his character indisposed the

(1) Baronius. *Ann. eccles. ad ann. 1060.*—Muratori's *Annals of Italy* vol. 6. p. 106.

electors towards him : to us it appears more than probable that he in fact did not aspire to become pope, provided the pope became the sovereign of kings ; for were he ambitious of the tiara, if he had desired, as he was capable of desiring it, how easily had he triumphed, since the year 1061, or even previously, over some feeble resistance. It was to the unlimited aggrandizement of the pontifical power, much rather than to his personal elevation, his opinions and character impelled him. We perceive in his conduct none of the manœuvring which private interest suggests : it evinces all the outlines of an inflexible system, the integrity of which is never permitted to be compromised by concession or compliance. His zeal, which was not merely active but daring, obstinate and inconsiderate, proceeded from an incurable persuasion. Hildebrand would have been the martyr of theocracy, if circumstances had called for it ; and they were little short of it. Like all rigid enthusiasts, he considered himself disinterested, and became without remorse, the scourge of the world. Without doubt, interest is the spring of human actions : but the success of an opinion is an interest too ; and to sacrifice there-to every other, has been in all ages the destiny of some. There are those who, cautious of troubling their neighbours, compromise only their own happiness ; these are the more excusable, as it is perhaps to truth they offer so pure and so modest a sacrifice. Others, like Hildebrand, think to acquire by the pri-

vations they impose upon themselves, the privilege of terrifying and tormenting nations : and their melancholy errors cost the world a train of misfortunes.

There are attributed to Gregory VII. the papal name of Hildebrand, twenty seven maxims which compose a complete declaration of the temporal and spiritual supremacy of the Roman Pontiff,⁽¹⁾ comprising in it the right of dethroning princes, disposing of crowns, and reforming all laws. It is not very certain whether or not he really drew up or dictated these articles ; but the substance of them and their developement will be found in his authenticated letters : they may be entitled “The Spirit of Hildebrand ;” they were the rule of his conduct, the creed which he professed, and would have wished to impose on Christendom. In them it is expressly stated that the pope has never erred, and that he never can fall into any error ; that he alone can nominate bishops, convoke councils, preside over them, dissolve them ; that princes should stoop and kiss his feet ; that by him subjects may be loosed from their oaths of fidelity ; and in a word that there is no name upon earth but that of the pope.

With reason has it been remarked how very much circumstances favoured the designs of Hildebrand. Since the death of Otho the Great, the German Empire had done nothing but weaken itself;

(1) *Dictatus Papæ*. Concilior vol. 10 p. 110—*Baron. Ann. eccles. ad ann. 1076, sec. 24. De Marca. l. 7, c. 26. 8. 9.*

Italy was divided into petty states; a young king governed France; the Moors ravaged Spain; the Normans had just conquered England; the northern kingdoms, newly converted, were ignorant of the bounds of the pontifical authority, and were to set the example of docility.

When Gregory VII. saw William the Conqueror established in England, he did not hesitate prescribing to him to render homage for his kingdom to the Apostolic See.⁽¹⁾ This strange proposition had for its pretext, the alms which the English had paid for about two centuries to the Roman Church, and which was called Peter's pence. The Conqueror, replied that perhaps the alms would be continued, but it therefore did not follow, that homage should be demanded of those from whom he received charity. William at the same time forbade the English from going to Rome, and prohibited them acknowledging any other pope than him whom he should approve. This trifling affair had no other consequence; and we only mention it in this place as it evinces better than any other, that Gregory knew not how to fix any bounds to the pretensions of the Holy See. Perhaps he imagined that the newness of William's power in England might incline him to wish for the protection of Rome, and make him willing to purchase it by an act of vassalage: but it was evinc-

(1) Fleury Hist. Eccles. l. 62, n. 63.

ing a very false idea of the state of this conqueror's affairs, his power, his character, and his ascendancy over his new subjects. The least reflection would have diverted Gregory from so ridiculous a step, shameful because useless.

Sardinia, Dalmatia, Russia, were in Gregory's eyes but fiefs which ornamented the tiara. "On behalf of St. Peter," thus he writes to Demetrius the Russian prince, "we have given your crown to your son, who receives it from our hands in taking the oath of fidelity to us." We must mention the names of all the princes who reigned in this pope's time, in order to fill up the catalogue of those whom he threatened or struck with his excommunications: Nicephorus Bonotiate, the Greek emperor, whom he enjoined to abdicate his crown⁽¹⁾; Boleslaus, king of Poland, whom he declared deprived of his authority, and added that Poland should be no longer a kingdom⁽²⁾; Solomon, king of Hungary, whom he sent to learn from the old men of his country, that it belonged to the Roman church⁽³⁾; the Princes of Spain, to whom he stated that St. Peter was supreme and sovereign lord of their states and domains, and that it would be preferable that Spain should fall into the hands of the Saracens, than cease to render homage

(1) Concil. Rom. ann. 1078.

(2) Dugloss. Hist. Polon. l. 3. 296.

(3) Gregor. Epist. l. 2, ep. 13, 63.—Fleury Hist. Eccles. l. 62, n. 9.

to the vicar of Jesus Christ⁽¹⁾; Robert Guiscard, his vassal, whose slightest neglect he punished with anathemas⁽²⁾; the Duke of Bohemia, of whom he exacted a tribute of a hundred marks of silver: Philip I. king of France, whom he affected to subject to similar exactions, and whom he denounced to the French bishops as a tyrant plunged into infamy and crime, who deserved not the name of a monarch, and of whom they would render themselves the accomplices, if they did not rigorously resist him. "Imitate, says he to them, the Roman Church your mother; separate yourselves from the service and communion of Philip, if he remain obstinate; let the celebration of the holy offices be interdicted throughout all France; and know that, by God's assistance, we shall deliver this kingdom from such an oppressor."⁽³⁾ But of all the sovereigns of Europe, the emperor Henry IV. who had the principal influence in Italian affairs, was, on this account, the most exposed to the thunder-bolts of Hildebrand.

Against so many potentates, and especially against Henry IV. Gregory had no other support, no other ally, than an Italian princess, with little talent, but much devotion, this was Matilda, countess of Tuscany. She possessed for him a generous and tender friendship; he addressed to her also, as a spiritual

(1) Fleury Hist. eccles. l. 62. a. 9.

(2) Greg. Epist. l. 1, 25, 26, 52, 57.—Fleury, l. 62. n. 9.

(3) Greg. Epist. l. 2. ep. 5.—Fleury l. 62. n. 16.

director, extremely affectionate letters ; she lived unhappily with Godfrey-le-Bossu, her first husband : from this circumstance, and others, rash inductions have been drawn not supported by any positive fact.⁽¹⁾ It is not the tender passions we can reproach Hildebrand with ; and the ascertained consequences of the connexion with Matilda, belong only to the history of the pontifical ambition.

This princess gave all her possessions to the Holy See, and three distinct monuments have been cited of this famous liberality. The first act, subscribed by her in 1077, has not been found. The second, which she signed twenty-five years later, when Hildebrand no longer lived, is preserved at Rome ;⁽²⁾

(1) *Apud omnes sanum aliquid sapientes luce clarius constabat falsa esse quæ dicebantur. Nam et papa tam eximie tamque apostolicè vitam instituebat, ut nec minimum sinistri rumoris maculum conversationis ejus sublimitas admitteret ; et illà in urbe celiberrimâ atque in tantâ obsequentium frequentiâ, obscœnum aliquid perpetrans, latere nequaquam potuisset. Signa etiam et prodigia quæ per orationes papæ frequentius fiebant, et zelus ejus ferventissimus linguas communiebant.*—*Lambert Schafur. ad ann. 1177.* This chronicler attributes, as we see, to Gregory, the gift of miracles, and concludes from it that his commerce with Matilda was irreproachable. “ Nevertheless, says the Jesuit Maimbourg, as the world, from “ a certain malignity attached to it, has a greater ‘ penchant ’ for “ believing the evil than the good, especially with persons of “ some reputation for virtue, this commerce failed not to be “ of bad effect, and tended to blacken his character of “ Gregory at this period.”

(2) *Diss. of St. Marc. p. 1231. 1316 of v. 4. of Ab. Hist. of Italy.*

and a will is also spoken of, which is not forthcoming, but which they say, confirms the two preceding donations. There exist indeed some difficulties, respecting these three acts : why has the first been allowed to go astray ? wherefore do historians say, it was signed at Canossa, while it is referred to in the second, as having been subscribed at Rome ? And this second deed itself, which so completely divests the giver, which reserves to her only some life enjoyments, how reconcile it with the extensive domains with which she continued to enrich monks and canons, from the year 1102, to 1115 ? Why not publish her will, which had, perhaps, explained these apparent contradictions. ? To all these questions we shall reply, that the act of 1102 subsists ; that it expressly renews that of 1077 ; and that of all the donations of which the Holy See hath availed itself, that of Matilda is undoubtedly the best authenticated as well as the richest.

In truth, the emperor Henry V. the heir of this Countess, made himself master of all she had been possessed of, and which reverted at a later period to the Court of Rome ; but, with time, the popes have secured a part of this inheritance, and have termed it the Patrimony of St. Peter : they are indebted for it to the cares of Gregory VII.

Henry IV. had obtained a victory over the Saxons, when he was addressed by two legates, who

communicated to him the order, to appear at Rome, in order to reply to the accusations brought against him: it related to investitures granted by him, 'by the cross and ring;' it was requisite to obtain pardon, or submit to an excommunication.⁽¹⁾ Henry, although he despised the menace, thought proper to give the pope some trouble in the city of Rome: a tumult took place, and Gregory was seized, struck, imprisoned, and ransomed. The effect of this ill-treatment was to cast an interest on the person of the pontiff, and to prepare him against a more serious vengeance. The emperor in a council at Worms, deposed Gregory, who, too confident of the inefficacy of such a decree, replied to it by the following: "On the part of the Almighty God, and of my full authority, I forbid Henry, the son of Henry, to govern the kingdom of the Teutons and Italy: I absolve all Christians from the oaths they have taken, or shall hereafter take to him; and all persons are forbidden to render him services as a king."⁽²⁾

(1) Lamb. Schaf. ad ann. 1074.—Life of Gregory VII. ap. Bell. v. 17. p. 148.

(2) Concilior. vol. 10. p. 366.

Here is, according to Otho of Freisingen, the first example of the deposition of a king by a pope. *Lego et relego Romanorum regum et imperatorum gestu, et nusquam invenio quemquam eorum ante hunc à Romano pontifice excommunicatum vel regno privatum.* Otho. Fies. Chron. l. 6, c. 35.—*Quanta autem mala, quot bella, bellorumque discriminia, inde*

We would willingly discredit it, but it is proved that these extravagant words, snatched from the monarch the fruit of all his victories. The civil war was again kindled in the centre of Germany ; an army of confederates was assembled near Spires, surrounded Henry, opposed to him the sentence of the pope, and made him pledge himself to forbear the exercise of his power, until the decision, to be pronounced at Augsburgh, between him and the pope, in a council over which the latter was to preside.

To prevent this last decision, Henry determined to seek pardon of Hildebrand ; he found him in the fortress of Canossa, where the pontiff was shut up with his countess Matilda. The prince presented himself without guard, and without retinue : stopped in the second enclosure, he suffered himself to be stripped of his vestments and clothed in sackcloth. With naked feet, in the month of January 1077, he awaited in the midst of the court the Holy Father's reply. This reply was, that he should fast three days before he could be permitted to kiss Hildebrand's feet ; and at the end of three days, they would be willing to absolve and receive him, under the promise of a perfect submission to the forthcoming decision of Augsburgh. Gregory might have foreseen that this excess of pride and tyranny

subsecuta sunt? Quoties misere Roma obscussa, capta vastata?
Ibid. c. 36.

would disgust the Italians, by whom he was already detested. His power had this disadvantage in their eyes, that it was not beheld at a sufficient distance. Lombardy armed itself in behalf of Henry, whom the Germans deserted; and while Germany elected another emperor Italy chose another pope.⁽¹⁾

Rodolphus duke of Swabia having been nominated emperor, Gregory excommunicated Henry once more. "I take the crown from him he said, and give the Teutonic kingdom to Rodolph." He even made a present to the latter of a crown, round which was to be seen an indifferent latin verse, of which here follows a translation." "*La Pierre a donne a Pierre, et Pierre donne a Rodolphe le diademe.*"⁽²⁾ Peter, a stone, has given to Peter, and Peter gives to Rodolph a diadem. At the same time Henry elevated to the papacy Guibert the archbishop of Ravenna, and assembled an army against Rodolph. In vain Gregory prophesied that Henry would be vanquished, would be exterminated before St. Peter: it was Rodolph who fell; he was killed in a skirmish by Godfrey of Bouillon, nephew of Matilda. Henry marched down on Rome: after a long seige, he took it by assault; and Gregory shut up in the mole of Adrian, continued to excommunicate the conqueror.

(1) Fleury's Eccles. Hist. 1074, 1080, l. 62 and 63.

(2) *Petra dedit Petro, Petrus diadema Rodolpho.*

It will be perceived that the pun is perfect only in the French, the English is wholly incapable of it.

The commotions which were prolonged in Germany, compelled Henry to make frequent journies. During the siege of Rome, and after his entrance into this capital, he quitted it more than once. Robert Guiscard took advantage of one of these occasions to deliver Gregory, but still more to ravage and pillage the city : he burned one quarter, which has since remained almost deserted, that between St. John de Lateran and the Coliseum, and reduced to slavery a great number of the inhabitants. This was the most memorable result to the Romans, and the most lasting to this pontificate.⁽¹⁾

Hildebrand, borne away by the Normans to Salerno, terminated his career there the 24th of May, 1085, excommunicating Henry to the last, with the antipope Guibert, and their adherents.⁽²⁾ So lived and so died Gregory VII., whose name, under Gregory XIII., was inscribed in the Roman martyrology, to whom Paul V. decreed the honours of an annual festival,⁽³⁾ and for whom Benedict XIII. in the 18th century, challenged the homage of all Christendom : but we shall see the parliaments of France oppose this design with an efficacious resistance. It is deserving of greater reprehension than

(1) Vita Greg. 7, edita à Card. Arrag. p. 313.—Landulph Sen. l. 3, c. 3, p. 120.—Rer. Ital. vol. 5, p. 587.

(2) Pauli. Beruried. Vit. Greg. VII. c. 110, p. 348.—Sigeib. Chron. ann. 1085.

(3) Fleury's Eccles. Hist. l. 63, a. 25.—Act. Sanct. Bell. 25. maii.

Gregory himself merited, the canonization, after five hundred years of study and experience, of his deplorable wanderings. For the excuse cannot be alleged in favour of his panegyrist that his enterprises may find in his enthusiasm, his ignorance, and the thick darkness of his age. Pasquier,⁽¹⁾ with too much reason describes him as "one of the boldest combatants for the Roman See, who forgot nothing, whether of arms, of the pen, or by censures, of what he conceived to tend to the advantage of the Papacy or disadvantage of Sovereigns."

The audacious Gregory VII. had a timid successor in Victor III. It is from him we have borrowed the words at the commencement of this chapter, to depict some of the preceding popes. Victor III. filled scarcely for a year the pontifical chair. He confirmed, however, in a council at Beneventum, the decrees passed against investitures. Urban II. who succeeded him, was during ten years a more worthy successor of Hildebrand: he instigated against Henry, Conrade, the eldest son of this emperor, encouraged this ungrateful son to calumniate his father, and recompensed him by crowning him king of Italy. Christendom was then divided between Urban II. and Guibert, who had taken the name of Clement III. and whom Henry IV. re-established in Rome in 1091. Urban till 1096 travelled in France and Northern Italy. Philip, king of France, repudiating his Queen Bertha, had married Bertrade: Philip was excom-

(1) *Researches on France*, l. 3. c. 7.

communicated in his own States by Urban, his born subject, to whom he had given an asylum.⁽¹⁾ But these journies of the pontiff are especially celebrated by the preaching up of the first crusade.

Hildebrand had conceived⁽²⁾ the earliest idea of these distant expeditions, which were, in aggrandizing the church, to diminish the power of the Greek emperors, or compel them to return under the domination of the Holy See. He beheld in them an opportunity of regulating at once all the movements of the Christian princes, of establishing himself judge of all the quarrels which might arise among them, to divert them from the Government of their States, and to augment by their absence the habitual influence of the clergy over all kinds of affairs. The pilgrimages to the Holy Land became under Gregory VII. more frequent than they had previously been : the recitals of the pilgrims were one day to provoke a general movement. This day did not arrive till Urbans time : a man named Cucupietre, called Peter the Hermit, made to the pope a lamentable recital of the vexations which the Christians experienced in Palestine ; he implored on their behalf powerful succours against the Musselmans. Urban dispatched Peter to all the princes and churches of Italy, France, and Germany ; and after leaving the preacher time sufficient to spread his enthusiasm among the people of these

(1) Velly's Hist. of France, v. 2, p. 493.

(2) Fleury. Hist. Eccles. l. 62. n. 14.

countries, the crusade was finally proposed in a council or assembly at which the pope presided, in an open plain not far from Placentia. There were collected upwards of thirty thousand laics alone, independent of prelates and priests : the expedition projected was universally applauded, but it was applauded alone ; no one as yet assumed the cross.⁽¹⁾ Urban had better success in France ; the crusade was resolved on at Clermont, in an assembly at which he presided and harangued. They exclaimed " 'Tis the will of God ;" and these words became the device of the crusaders, the number of whom encreased beyond measure. The military history of this expedition does not concern us : we have only to observe, that the first act of this army was to re-establish 'en-passant' pope Urban, in the city of Rome, at the end of the year 1096. Henry, driven from Italy by the troops of the Countess Matilda, retired to Germany. Urban did not die till 1099 ; and the pontificate of his successor Pascal II. belongs principally to the twelfth century.

The age which we have passed over, ought to remain for ever famous in the history of the popes. If they are not yet recognized as sovereigns, if their temporal power has not yet been declared independent, it in effect rivals and threatens the throne which ought to govern it. Already the Two Sicilies

(1) Concilior. v. 10, p. 501 ; Bartold. ad ann. 1094.

had become fiefs of the Holy See; the donations of Matilda have extended, over almost all Middle Italy, the rights or pretensions of the court of Rome. But what signify the limits and the nature of these temporal possessions, when the spiritual authority no longer recognizes restriction, when the gospel ministry transforms itself into a universal theocracy, which brands, curses, deposes kings, and disposes of their crowns. One man alone, it is true, had fully conceived this tremendous system; but the opinions, of which the ignorance of this man, as well as his contemporaries, was composed, encouraged his undertakings, however monstrous, and political circumstances promised him success from them. New dynasties had arisen in France, England, and other countries: the French emperors, threatened in their own palaces, had lost every remnant of authority in Italy: it was sufficient to humble the Emperor of the West; he alone counterbalanced in Europe the weight of the Holy See. In attacking him one might reckon on the support or neutrality of other monarchs; they were jealous of his preponderance: Rome in humiliating them, disposed them to reconcile themselves to it by the spectacle of more serious outrages reserved for their head; they childishly rejoiced in the great share he should have in the common humiliation. They turn, in the mean time, against him, the old or new factions which troubled Germany; they redouble their insolence and their power by the thunder

of the anathemas with which they struck him ; and if so many efforts did not overthrow him, at least, they staggered and weakened him. Such was the war waged by Hildebrand, against Henry IV. the first at the period, or as we may term him, the only representative of the civil power in the West. In bequeathing this war to his successors, Hildebrand vanquished as he was, had pointed out the object, traced the plan, and tempered the arms.⁽¹⁾ There had needed to complete his work, perhaps, in the course of the following century, but two or three successors of his inflexible enthusiasm. Giannone accuses him of having forged the Donations of Constantine, Pepin, Charlemagne, and Louis-le-Debonnaire. We have seen the first of these donations adduced in the eighth century ;⁽²⁾ the rest are mentioned by writers anterior to the eleventh : all these acts were spoken of before Gregory's time : at the most he could only have arranged the texts more categorically, and more favourable to his pretensions. It is certain, that no means adopted for the establishment of pontifical tyranny would have alarmed his conscience : the most efficacious, therefore, appeared to him the most laudable ; and, if some of his proceedings, judged of after the events, seem to us equally imprudent and violent, we should reflect that so enormous an enterprise could only be accomplished by audacity in the extreme.

(1) Giannone's Hist. of Italy. l. 10, c. 6.

(2) Ibid. p. 12.

CHAPTER V.

CONTESTS BETWEEN THE POPES AND THE SOVEREIGNS OF THE TWELFTH CENTURY.

WITH the pontifical power, such as Hildebrand would have it, not to gain a great deal was to lose a little. Now under the popes of the twelfth century it was not much extended: they knew not how to reap the fruits of the labours of Gregory VII. Pascal II. however, who reigned near twenty years, from 1099 to 1118, very earnestly aspired to universal monarchy; but his designs, opposed by circumstances, were still more so by the weakness of his character. The antipope Guibert, who died in 1100, had for a long period for his successors, an Albert, a Theodoric, a Maginulph: obscure persons, whose pretensions, nevertheless, though weakly supported by a small number of partisans, sufficed to intimidate Pascal. He did not press the excommunication of Henry king of England, when in 1101, the war of investitures was kindled between this monarch and Anselm archbishop of Canterbury. If he evinced greater boldness against Philip, king of

France, it was, doubtless, because Urban II. had commenced the quarrel, and that the notoriety, the censures with which this prince had been struck, admitted of no retraction. Pascal II. therefore, ventured to send legates into France, who were to excommunicate king Philip anew, but still on account of his divorce. Indignant at the attempts of these priests, William, count of Poitou, and Duke of Aquitaine, did himself honour under these circumstances, by a courage, that Philip, however, did not imitate.— Philip demanded absolution of the pope, and obtained it, on swearing to renounce Bertrade. He came with bare feet in the depth of winter to take, in a council at Paris, an oath which he did not observe.— We know of no authentic act, which re-established the marriage of Bertrade with Philip; but they continued to live together without being disturbed by the church: the states and rights of their children were never called in question.

At the same period that Matilda renewed her donation, Pascal II. confirmed the anathemas of his predecessors against Henry IV.⁽¹⁾ and raised him

(1) He writes in these terms to Robert, Count of Flanders :—
 " Pursue every where with all your power, Henry, the chief of heretics, and his abettors. You can offer to God no more acceptable sacrifice than to combat him who has raised himself against God; who endeavours to deprive the church of the kingdom, and who has been banished by the decree of the Holy Ghost, which the prince of the apostles has pronounced. We appoint this undertaking to you, and also to your vassals

an enemy in an ambitious and ungrateful son. In vain did a paternal letter invite this son to repentance:⁽¹⁾ it was replied, that an excommunicated person was not acknowledged as father, or as king. Loosed from his oaths, and from his duties, by the sovereign pontiff, the youthful Henry took up arms, and had himself elected emperor in a diet held at Mayence. Henry the elder, retired to the castle of Ingelheim: there the archbishops, sent by the Diet, came to summon him to surrender to them the crown and other insignia of his power. "Thou hast rent the church of God, said they to him, thou hast sold the bishopricks, the abbeyes, every ecclesiastical dignity; thou hast in no case respected the sacred canons: for all these causes, it has pleased the pope and the German princes to expel thee from the throne as from the church." "I adjure you," replied the monarch, "you archbishop of Cologne, and you of Mayence, who hold of me your rich prelacies, to declare, what was the price at which you purchased them of me. Oh! if I only exacted from you the oath of fidelity to me, wherefore do you become the accomplices, the chiefs of my enemies? Could you not wait the termination of a life which so many misfortunes might abridge, and at least, permit

for the remission of your sins, and as a means of arriving at the celestial Jerusalem."

(1) Velly's Hist. of France, vol. 2, p. 480.

“ my own hands to place the crown on the head of
 “ my beloved son.” But Henry was not speaking to
 fathers ; he addressed himself to inflexible prelates.
 “ Is it not to us, cried one of them, the privilege
 “ belongs to create kings, and to dethrone them
 “ when we have made a bad choice?” At these
 words, the three archbishops fell on their sovereign ;
 they tore the imperial crown from his head ; and while
 he assured them, that if he suffered at this moment
 for the sins of his youth, they would not escape
 the punishment due to their sacrilegious disloyalty,
 they smiled at his menace, and to secure impunity
 for their crime by consummating it speedily, they
 hastened to Mayence, to consecrate and bless in
 the name of God the parricide Henry V.⁽¹⁾

Henry IV. shut up in Louvain, saw an army of
 faithful subjects assemble around him. At their
 head he obtained a victory over the rebels ; but,
 vanquished without resource, in a second combat,
 he fell into the hands of his enemies, who loaded
 him with insults. “ The hatred of the popes,”
 writes this unhappy sovereign to Henry the I. King
 of France,⁽²⁾ “ the hatred of the popes, has carried
 “ them so far as to violate the laws of nature ; they
 “ have armed my son against me ; this son, in con-

(1) Otho Frising. Chron. l. 7, c. 8, 12.—Abb. Ursperg.
 Chron. p. 243.—Sigon. de Regno Italico. l. 19.

(2) Sigeb. Gemblac. apud Stras. vol. 1, p. 856.—Otho Fris.
 Chron. l. 7, c. 12.—Fleury's eccles. Hist. vol. 65, n. 42.

“ tempt of the fidelity he had sworn to me as my
 “ subject, comes to invade my kingdom ; and what
 “ I would I could conceal, he has even practised
 “ on my life.” Escaped from prison, but plunged
 into extreme misery, the old emperor was reduced to
 solicit in a church, formerly built by his cures, a sub-
 altern employment, which he did not obtain. He
 died ; they disinterred him ; Pascal II. would not
 allow an excommunicated corpse to repose in peace ;
 five years, the remains of an emperor who had dis-
 tinguished himself in sixty-six battles, remained
 without burial ; the clergy of Liege, who ventured to
 collect them, was punished for it by anathemas,
 and almost in our own days, a Jesuit named Lon-
 gueval⁽²⁾ has adjudged the fidelity and boldness of
 this clergy to have been inexcusable.

The best authenticated history has almost the air
 of a moral fiction, when after 1106, it represents
 Henry V. and Pascal occupied in avenging one upon
 the other, their common outrages on the rights and
 repose of Henry IV. Henry V. came to Rome, kis-
 sed the pope's feet, and desired to be crowned em-
 peror. Pascal deemed the conjuncture a favourable
 one for regaining a formal renunciation of the inves-
 titures, which he had just condemned in a council
 held at Troyes. But he had hardly mentioned this
 pretension, when he was arrested, carried off to the
 Sabine, and confined in a fortress. There such a

(2) Hist. of the Gall. Church, vol. 8, p. 187.

terror seized the Holy Father, that he, with sixteen cardinals, signed a treaty, in which he secures to the emperor, the right of investiture, provided he mingles with it no simony; he did more, he bound himself never to excommunicate Henry V. and consented to the inhumation of Henry IV. To seal this compact on the faith of the most awful mysteries, a host is divided between the pope and the emperor: "As these are divided into two parts, said the pontiff, so may he be separated from the kingdom of Jesus Christ, who shall violate this treaty." Such was the oath which Pascal took, and which he renewed after he had recovered his liberty.

From this period he had no resource from the reproaches addressed to him by the Roman clergy, and which were redoubled in proportion as the emperor and his army removed from Rome. Behold, then, the head of the church, who permits himself to be taxed with prevarication, who retires to Terracina to weep his error, who suffers cardinals to annul his decrees and his promises! he was about, he said, to abdicate the tiara; happily they opposed this design; and such is the docility of the holy pontiff, that he constrains himself to preserve power, in order to make a better use of it. Finally, he revokes, in a council, the treaty he had the misfortune to subscribe; he declines, however, to excommunicate Henry himself, so scrupulous is he still of violating his engagement! It was the Cardinals who pronounced this ana-

thema in the presence of Pascal II. Not only did this Council condemn investitures, but furthermore, it termed all those heretics who did not condemn them. Henry V. conceived little danger from it. He came into Italy in 1116, to take possession of the rich inheritance bequeathed by Matilda to St. Peter. She had not transferred either sovereign rights or prerogatives, nor yet fiefs, but merely landed property, which the Roman Church was to enjoy as the proprietor, 'jure proprietario'.⁽¹⁾ It matters not—the emperor pretends that the countess had no power, even on these grounds, to dispose of those domains; and during the whole of the 12th century, the popes remained deprived of this inheritance. After having taken possession, Henry advanced towards Rome; a sedition had burst out there against Pascal, whose long pontificate displeased the great, and whose person every one. While the pope fled to Monte Cassino, and shut himself up in Beneventum, the excommunicated monarch entered Rome, as if in triumph, and there received the imperial crown from the hands of Bourdin, archbishop of Bruges. Pascal excommunicated Bourdin, endeavoured to raise up against Henry, now France, now the Normans established in Lower Italy, and, finally, terminated his career, rather ingloriously, in the month of January, 1118.

(1) *Chartula comittissæ Mathildis super concessione bonorum suorum*, Roman. eccles. vol. 5, p. 384. *Script. rer. Italic.*

His partisans gave him for successor, Gelasius II. whom the Frangipani, a family devoted to the emperor, were unwilling to recognize. Gelasius, arrested, released, and pursued, took the determination to fly to Gaeta, his country, from the time he was aware that Henry approached Rome. Henry had Bourdin raised to the papacy, who, having taken the name of Gregory VIII. crowned the new emperor. But the moment the latter quitted Rome, Gelasius entered it secretly. Driven out by the Frangipani he fled, returned, fled again, retired into Provence, and died at Cluni. He had reigned but one year, if, indeed, it can be said he reigned at all.

From the time of Gregory VII. to Gelasius II. inclusive, almost all the popes, drawn from the shade of the cloister, had borne to the throne the obstinacy and asperity of the monastic spirit. Calixtus II. who replaced Gelasius, sprung from the house of the counts of Burgundy. The relative of the emperor, and of many other monarchs, he possessed at least some idea of the art of governing, and of reconciling great interests. He had the honour of terminating the disputes about investitures. A diet at Worms ruled, that for the future the prelates should be elected only in the presence of the emperor, or of his lieutenants:—that in case of misunderstanding, the matter should be referred to the emperor, who should take the opinion of the bishops: that, finally, the emperor should bestow investiture by the sceptre,

and not by the crozier and ring.⁽¹⁾ Calixtus ratified this treaty in the midst of the general Lateran Council of 1123. We may also applaud this pontiff for saving the life of his rival Bourdin; he contented himself with exposing him to the jests of the populace, consigning him for ever to the depths of a dungeon, and with causing himself to be represented trampling this antipope under his feet.⁽²⁾ Such was the generosity of this friend! Calixtus pressed the king of England to restore a deposed bishop. 'I have sworn,' replied the king, 'never to suffer him to re-ascend his seat.' 'You have sworn,' said Calixtus, 'very well, I am pope, and I release you from your oath.' 'How, replied the monarch, 'shall I confide in this bishop's oaths, or in your's, if your will alone is necessary to cancel them.'

Honorius II. who filled the Holy See from 1124 to 1180, is only remarkable for his disputes with Roger, Count of Sicily, whom he wished to prevent uniting Apulia and Calabria, an inheritance left him by William II. his father, to his States. The pope fearing that Roger might become powerful enough to invade the Ecclesiastical States, sent an army against him, which was defeated. The king of France, Louis le Gros, was then exposed to the cen-

(1) Concilior. vol. 10, p. 883.—Abb. Ursperg. Chron. p. 204.
—Muratori's Antiquities of Italy. med. ævi. vol. 6, p. 72.
—Schill. de libertate eccles. German. l. 4, c. 4, p. 545.

(2) Art of verifying dates. vol. i. p. 283, 284.

sures of the bishops of his own kingdom: the seditious conduct of the bishop of Paris having required repressive measures, this prelate, whose temporalities were seized, dared to place his own diocese, and the possessions of the king, under interdict. The most praiseworthy action of Honorius is the removal of this interdict, and the having coldly seconded the ardent zeal of St. Bernard, when this pious abbot, treating his king as an infidel, a persecutor, a second Herod, solicited the pope to bring this affair before the Holy See. Louis was indebted for the tranquillity of the last ten years of his reign; to the prudence of Honorius, whom St. Bernard accused of weakness.⁽¹⁾

It was in the pontificate of this Honorius, that the two factions, the imperial and the papal, originating as we have seen, in the tenth century,⁽²⁾ took, in a more decided form, the distinctions of Guelphs and Ghibelines. These two appellations are the names of two German houses, which in 1125, when Henry V. died, disputed the imperial crown. One of these families, sometimes called Salique, sometimes Guiebelinga or Waiblinge, reigned in Franconia, and had furnished the four last emperors; it was distinguished by its long disputes with the Church: the other family, originally of Allfort, possessed Bavaria; and many of its heads, devoted to the popes, had borne the name

(1) Velly's Hist. of France, vol. iii. p. 73, 74.

(2) Ibid. p. 88, 89.

of Welf or Guelpho. The duke of Saxony, Lothaire, chosen at Mayence, as successor to Henry, was impatient to manifest his attachment to the house of Guelph, by espousing the heiress of Henry duke of Bavaria. The duke of Franconia, Conrade, was then in Palestine; he hastened to combat Lothaire, re-animated the partisans of the house of Ghibeline, and caused himself to be crowned emperor, by the archbishop of Milan, while Honorius II. declared himself in favour of the confederate of the house of Guelph.⁽¹⁾

At Rome, another powerful family, the Frangipani, had for rivals the children of a Jew named Leo, who, opulent, and a convert, had become, under these two qualifications, as formidable as famous. Peter de Leon, the son of this Jew, sought, under the name of Anaclet, to succeed Honorius II. to whom the Frangipani gave for a successor, Innocent II. The two popes were enthroned and consecrated at the same time in Rome: but Anaclet proved the strongest there; Innocent took refuge in France, where St. Bernard had him acknowledged, and held many councils up to the year 1133. Returned to Rome, he crowned the Guelph, Lothaire, emperor, in ceding to him the usufruct of Matilda's domains. Anaclet died; his successor Victor abdicated

(1) Otto Frising. Chron. l. 7, c. 17.—De Gestis. Fred. l. 2, c. 2.—Mase. Comment. de rebus imperii sub Lothario II. l. 1, 8. l. 9. 23; sub Conrade III. l. 3, p. 141.—Chron. Weingentense de Guelfi principibus, apud Leibnitz. v. 1, p. 781.

the tiara; the schism was extinguished; and Pope Innocent II. considered himself sufficiently firm upon the pontifical throne, to menace Count Robert, and the king of France, Louis the Young. Roger defeated the troops of Innocent, who, fallen into the hands of the conqueror, saw himself compelled to confirm the title of king, given to Roger by Anaclet. Louis VII. defended himself with less success: exercising the right which all his predecessors had exercised, he had refused to ratify the election of an archbishop of Bourges. Innocent received the pretended archbishop, consecrated him, and sent him to take possession, spoke of the king as of a young man whom it was necessary to instruct, that it was not proper he should in anywise accustom himself to meddle in the affairs of the church,—and, enraged with the opposition of this prince, he laid his kingdom under an interdict: a sentence then so much the more terrible, as, echoed by the French prelates supported by St. Bernard, it presented to Thibault, Count of Champagne, a turbulent and hypocritical vassal, the opportunity of exciting a civil war. Louis armed himself against Thibault, entered Vetry, and tarnished his victory by delivering thirteen hundred of its unfortunate inhabitants to the flames. This excess was subsequently expiated by a crusade which had itself needed expiation.

Celestine III. the successor of Innocent II. took off

the interdict laid on France, refused to confirm the treaties entered into by his predecessors with Roger, king of Sicily, and declared himself against Stephen, who had taken possession of the English throne. The pontificate of Celestine II. and that of Lucius II. who followed him, scarcely completed two years ; but these are memorable from the disturbances which agitated the city and environs of Rome.

Arnauld of Brescia, an austere monk, but eloquent and seditious, had denounced the ambition and the despotism of the clergy. To maxims of independence, which were qualified political heresies, he united certain less intelligible errors, which he adopted of Abelard, his master and his friend. From 1139, Arnauld, condemned by the second Lateran council, had left Italy, and had taken refuge in the territory of Zurich. During his exile the Romans, discontented with Innocent II. restored some semblance of their former liberty ; and these attempts, more bold under Celestine II. became, under Louis, serious undertakings. They created a patrician, popular magistrate, and president of a senate composed of fifty-six members. The patrician was a brother of the antipope Anaclet ; the thirteen districts of Rome concurred in the choice of these fifty-six senators. Deputies were sent by this senate to Conrade III. whom the death of Lothaire had left in full possession of the empire. The Romans invited Conrade to come and take in the midst of their city the imperial crown : " Let your wisdom, said they to

“ him, call to mind the attempts undertaken by the
 “ popes against your august predecessors. The
 “ popes, their partisans, and the Sicilians, at the pre-
 “ sent time in league with them, prepare for you
 “ still greater outrages. But the senate is restored,
 “ the people have resumed their vigour; this
 “ people and this senate, by which Constantine,
 “ Theodosius, and Justinian governed the world,
 “ and whose vows, prayers and exertions, call you
 “ to a similar degree of power and glory.” Conrade
 was perfectly aware of the projects of independence
 which this language harboured, and did not think it
 prudent to imitate Lucius, who also had addressed
 an epistle to him. Bold against enemies whom
 Conrade had abandoned, and whom Roger threat-
 ened, Lucius advanced towards the capital; he march-
 ed surrounded by priests and soldiers. This parade
 of all his temporal and spiritual arms, however, was
 useless; a shower of stones crushed the double army
 of the pope, and he himself received a mortal wound.
 His party very hastily gave him a successor; but
 this person, who was named Eugenius III. hastened
 to quit Rome, lest he should see himself com-
 pelled to ratify the re-establishment of the popular
 magistracy.⁽¹⁾

Eugenius armed against the Romans the inha-
 bitants of Tivoli, and nevertheless re-entered Rome

(1) Otho. Frising. Chron. l. 7. c. 22, 27, 31.—De Gest. Frid.
 ra. l. 1. c. 21, 22, 27, 28.—Moscow de reb. imperii sub Con-
 rado III. l. 3, pa. 114.

only by recognizing the senate. He obtained but the abolition of the dignity of patrician, and the re-establishment of the prefect. These transactions did not lead to a permanent peace; Eugenius again took flight and passed into France, where he seconded as far as possible St. Bernard, the apostle of the fatal crusade of 1147.⁽¹⁾ During the absence of Eugenius, Arnould of Brescia returned to Rome, followed by two thousand Swiss;⁽²⁾ he proposed restoring the consul, the tribunes, the equestrian order of the ancient Republic of Rome, to allow the pope the exercise of no civil power, and to limit the power they were obliged to leave in the emperor's hands. Eugenius re-appeared in the capital in 1149, quit-
ted again almost immediately, again returned in 1153 to quit it no more. Imploring the assistance of Barbarossa, who had been elected emperor, he offered to crown him, and obtained from this prince a promise to receive the pontifical authority at Rome. Louis VII. broke at this time his marriage with Eleanor of Aquitaine: this divorce, the only one perhaps which has had fatal consequences for France, is also the only one which has not experienced on the part of the church, any sort of opposition. Neither the pope, nor the bishop, nor St. Bernard

(1) This expedition is connected with our subject, only by general considerations, which we have already laid before our readers—see page 116.

(2) Chron. Corbeiens.

complained of it. Suger, who had advised against it, no longer lived; the French prelates, whom Louis condescended to consult, expressly approved of it; and the heiress of Guienne and Poitou, repudiated under the usual pretext of distant consanguinity, disinherited the daughters whom she had by the king of France, married Henry Plantagenet, and added two large provinces to Maine and Anjou, already possessed by Henry, who became afterwards king of England. Here we behold one of the principal causes of the long rivalry of these two kingdoms; and if the clergy, for a long time accustomed to pass the limits prescribed by their profession, had attempted to transgress them on the present occasion, for once, at least, we should have been enabled to bless the abuse of their ecclesiastical functions.

That which must render the pontificate of Eugenius III. memorable in the History of the Power of the Popes is, the approbation which he bestowed on Gratian's Decree. The name of 'Decree' designates in this place, a canonical compilation at first entitled 'Concord of the Discordant Canons,' which was completed in 1152, by the aforesaid Gratian, a Benedictine monk born in Tuscany. The then recent discovery of Justinian's Pandects, caused the revival in Italy of the study of civil jurisprudence: the collection of Gratian, became the 'text' of ecclesiastical jurisprudence; and the first of these studies, soon subjected to the other, appeared only as its ap-

pendage. This collection is divided into three parts, of which one treats of general principles and ecclesiastical persons, the second of judgment, and the third of sacred things. The tautology, the impertinencies, the irregularity, the errors in proper names, the disregard of correctness in the quotations, are the smallest faults of the compiler ; mutilated passages, canons, false decretals, every species of falsehood, abound in this monstrous production. Its success was only the more rapid ; they began to expound it in the schools, to cite it at the tribunals, to invoke it in treaties ; and it had almost become the general law of Europe, when the return of learning slowly dissipated these gross impostures. The clergy withdrawn from the secular tribunals ; the civil power subjected to the ecclesiastical supremacy ; the estates of individuals, and the acts which determined them, sovereignly regulated, confirmed, annulled, by the canons, and by the clergy ; the papal power freed from all restriction ; the sanction of all the laws of the church conferred on the Holy See, itself independent of the laws published and confirmed by it : such are the actual consequences of this system of jurisprudence. Some churches, and that of France in particular, have modified it ; but it is preserved pure and unaltered in the Roman Church, which has availed itself of it in the succeeding centuries to trouble the world. From the end of the eighth century the decretals of Isidore had sowed the seeds

of the whole pontifical power. Gratian has compiled and enriched them. Represented as the source of all irrefragable decisions, the universal tribunal which determines all differences, dissipates all doubts, clears up all difficulties, the Court of Rome beholds itself consulted from all parts, by metropolitans, bishops, chapters, abbots, monks, by lords, by princes, and even by private individuals. The pontifical correspondence had no limits but in the slowness of the medium of communication; the flow of questions multiplied bulls, briefs and epistles; and from these fictitious decretals, attributed to the popes of the first ages, sprung up and multiplied, from the time of Eugenius III. millions of responses and too well authenticated sentences. Matters, religious, civil, judicial, domestic, all at this period more or less clogged with pretended relations to the spiritual power; general interests, local disputes, quarrels of individuals, all was referred as a 'dernier resort', sometimes in both first and last instance, to the Vicar of Jesus Christ; and the Court of Rome obtained that influence in detail, if we may so term it, of all the most tremendous, precisely for this reason, that each of its consequences, isolated from the rest, appeared the more unimportant. Isidore and Gratian have transformed the pope into a universal administrator.

Frederick Barbarossa was then the principal obstacle to the progress of pontifical power. Young, ambi-

tious and enterprising, he was connected, by the ties of blood, with the families of Guelph and Ghibeline. He seemed destined to extinguish, or at least to suspend, the fury of the two factions. He announced the design of confirming in Italy the imperial power; and it could not have been anticipated, that a new crusade should divert him as speedily from it, after the misfortunes attendant on that of 1147.

In the mean time, Adrian IV. born in a village in the neighbourhood of the abbey of St. Alban, mounted the chair of St. Peter in the month of December 1154.⁽¹⁾ The king of England, Henry II. congratulated himself on seeing an Englishman at the head of the Church, and asked his permission to take possession of Ireland, in order to establish Christianity there in its primitive purity. Adrian consented to it,⁽²⁾ with this observation, that all the isles, in which the christian faith had been preached, belonged indubitably to the Holy See, even as Henry himself acknowledged. The pope, then, did consent to dispose of Ireland in favour of the king of England, on condition that the king should cause the Roman church to be paid an annual tax of one penny out of each house in Ireland. Fleury⁽³⁾ supposes that John of Salisbury was one of the ambassadors sent by the

(1) Guill. Neubrig, *Rer. Angl.* l. 2. c. 6. et 9,—Ciacon. *de Vitis pont. Rom. Hadr.* 4.

(2) Petri Bles. *Op.* p. 252, 253.—*Concilior.* v. 9. p. 1143.

(3) *Hist. eccles.* l. 70. n. 16.

king to the pontiff to solicit Ireland from him ; but Matthew Paris⁽¹⁾ names the deputies without mentioning John of Salisbury ; however, the latter might have been commissioned to second the application to Adrian, whose intimate friend he was.— They passed three months together at Beneventum. There it was that Adrian, having asked John what they said of the Roman Church, was answered, that she passed for the step-mother rather than the mother of other churches, that the Pope himself was a great expense to the world, and that so many violences, so much avarice, and so much pride disgusted Christendom. Is that, said the pope, your own opinion of the matter ? “ I am really puzzled,” replied John ; “ but since the Cardinal Guy Clement “ joins the public on this point, I cannot be of a different sentiment. You are most Holy Father out “ of the right way ; wherefore exact of your children such enormous tributes ? and that which you “ have received freely, why not freely bestow it (2) ? ” The pope, says Fleury,⁽³⁾ began to laugh, and to exculpate Rome, alleged the fable of the stomach and the other members. But in order that the application should be correct, says the same historian, it would have been requisite that the Roman Church should have extended to other churches similar benefits to those she derived from them.

(1) Hist. Angl. anno. 1155.

(2) Joann. Sarisb : Polycrat. l. 6. c. 24 ; l. 8. c. 22.

(3) Hist. eccles. l. 70. n. 15.

At the above period, reigned in Sicily, William surnamed the Bad, who enraged at receiving from the pope only the title of lord, in the place of that of king, carried hostilities into the ecclesiastical states. (1) Adrian, after having excommunicated him, raised against him the nobles, vassals of this prince, promising to support their privileges with an invincible constancy, and to have them restored to the heritages of which they had been deprived. However, the pope shut up in Beneventum, saw himself obliged to capitulate, and to sacrifice the Sicilians who had armed themselves in his defence. William of Tyre has blamed him for it; (2) but according to Baronius, (3) we must only pity him, for he lacked the means of remaining faithful to his engagements; and he was so far from free, that he was constrained to acknowledge, by authentic deed, that he enjoyed a perfect liberty. However it was, William the Bad, and the pope were reconciled; and there were none discontented save the barons, who, on the word of the holy father, had expected never to be abandoned.

From the commencement of his pontificate Adrian had been relieved of Arnould of Brescia. An interdict launched for the first time against the churches of Rome, terrified the people, and com-

(1) Baron. Ann. eccles. ann. 1154.—Pagi. Act. ann. 1154, n. 4.

(3) Lib. 18. c. 2. et segg.

(4) Ann. eccles. ann 1156.—Concilior vol. 10. pa. 1151.

pelled the senators to exile Arnould, who scarcely out of the city, was delivered to the sovereign pontiff by Frederick Barbarossa, and buried alive at the break of day, without the knowledge of the people. His ashes were thrown into the Tiber, for fear, says Fleury,⁽³⁾ that the people should collect them as those of a martyr. But this service rendered by Frederick to Adrian did not prevent their becoming enemies. From the year 1155, when Frederick came to Rome to receive the imperial crown, the first germs of their discord were perceptible.⁽¹⁾ Frederick, after having refused to hold the stirrup for the pope, acquitted himself of it with a very bad grace. He observed in the palace of the Lateran a picture, in which the Emperor Lothaire was represented on his knees before the pontiff, with the well known inscription :

Rex venit ante fores, jurans prince urbis honores;
Post homo, fit papæ, sumit, quo dante, coronam :—

that is to say, “the king presents himself at the “ gates ; and after having recognised the rights of “ the city, becomes the vassal of the pope, who “ bestows on him the crown.” Frederick complained of these two verses, as well as of the emblems they explained, and obtained but the vague promise of

(1) Hist. eccles. l. 70, n. 4.—Otho Frising. de Gert. Frider. Anobor. l. 2, c. 21.—Vit. Adrioni ed à card. Arrag.

(2) Otho Frising. de Gert. Frid. l. 2, c. 14, 15, 20.—Radev. de Gert. Frid. l. 1, c. 11.—Bossuet's Def. Gall. Church. l. 3, c. 18.

their future suppression. They still subsisted when, in the month of April, 1157, the pope's legates presented themselves before the emperor, who held a court at Besancon,⁽¹⁾ and placed in his hands a letter from Adrian. It had for its purport an attack committed in the emperor's states on the person of the Bishop of Lunden. "How, said the pope, can the impunity of such a crime be explained? Is it negligence? Can it be indifference? Can the emperor have forgotten the benefits conferred on him by the Holy See? Has not the sovereign pontiff willingly conferred on him the imperial crown? Are there not other favours still which he may be disposed to confer?" This language highly displeased the princes by whom Frederick was surrounded; they murmured, they menaced; and when one of the legates replied to them, "of whom then does the emperor hold the crown, if he holds it not from the pope?" one of the princes no longer restrained his indignation; he drew his sword, and he had infallibly cut off the legate's head, if Frederick had not hastened to oppose his imperial authority to this violence, and to have the envoys of the Holy See conducted to their residences, directing them to depart very early the following morning, and to return to Rome by the shortest road, without resting at the houses of either bishops or abbots.

(1) Radevic. l. 1, c. 8, 9, 10.

(2) Concilior. vol. x. p. 1144.

Adrian took the step of addressing the bishops of Germany; he exhorted them to neglect no means of bringing Frederick back to more humble sentiments.⁽¹⁾ We have the reply of these prelates;⁽²⁾ it is judicious and firm: "Your words, they say to the holy fathers, have shocked the whole court, and we cannot approve them.—The emperor can never suppose, that he holds from you his dignity: he swears that when the Church wishes to subject thrones, such ambition comes not from God; he speaks of figures and inscriptions which you possess, and which outrage his authority; he will not suffer, he says, such gross attempts. We invite you to destroy these movements of hostility between the empire and the priesthood; we adjure you to pacify a christian sovereign, in addressing to him henceforth a language more conformable to the Gospel." At the same time that the bishops wrote this epistle, Frederick prepared to pass into Italy.⁽³⁾ Adrian called to mind William of Sicily and perceived that it was time to shew some deference to the emperor. Legates more skilful and more complying, came to Augsburg, and presented Frederick with another epistle from Adrian.⁽⁴⁾ The pope explained in it

(1) Concilior, vol. 10, p. 1145.

(2) Radev. Gest. Frider. l. 1, c. 16.

(3) Radev. l. 17, c. 23.

(4) Concilior. vol. 10, p. 1147.

the terms of his first letter, and the explanation amounted to a retraction. "By the word 'beneficium,' he says, we understand not a benefice or a fief, but a benefit or a service." In speaking of "your crown, we do not pretend having conferred it on you; we refer only to the honour we have had of placing it on your august head; 'contulimus,' that is to say, imposuimus." This commentary, which by no means pleases Baronius,⁽¹⁾ satisfied the emperor, and produced between this prince and the pope a reconciliation which was not of long duration.

In the month of October 1150,⁽²⁾ Frederick held at Roncaille, between Parma and Placentia, an assembly, in which the bishops and abbots acknowledged that they held from him their royal privileges. Dissatisfied with this declaration, and with the asperity with which the officers of the emperor asserted the right of forage over the lands of the Roman Church, Adrian wrote an epistle to Frederick which has not been preserved; but Radevic, who gives us a relation of it,⁽³⁾ says, that it concealed, under humble and gentle terms, much bitterness and hauteur. In replying to it, Frederick affected to place, in the inscription,

(1) *Ann. eccles. ann. 1158. 76.*—According to Bossuet, this letter of Adrian IV. alone, is requisite to annihilate all the conclusions which the Ultramontanes pretend to deduce from the ceremony of the coronation of kings.

(2) *Radev. l. 2. c. 1—15.*

(3) *Lib. 2. c. 18.*

his own name before that of the sovereign pontiff.⁽¹⁾ It was to revert to an ancient custom, to which were substituted for some time past forms supposed to be more respectful. This bagatelle nettled the holy father ; and history relates, that letters were intercepted which he wrote to the Milanese, and other subjects of Frederick, to invite them to revolt. We do not possess those letters ; but the reply of Adrian to the emperor has been transmitted to us.⁽²⁾

“ To place your name before ours, says the servant
 “ of the servants of Christ, is arrogance, is insolence ;
 “ and to cause bishops to render homage to you,
 “ those whom the Scriptures call Gods, sons of the
 “ Most High,⁽³⁾ is to want that faith which you
 “ have sworn to St. Peter, and to us. Hasten then
 “ to amend, lest that in taking to yourself that which
 “ does not belong to you, you lose the crown with
 “ which we have gratified you.” This epistle did not remain unreplied to ; the minds of both became inflamed, and in despite of the negotiations attempted in an assembly at Bologna in 1159, war was going to break out, had not the pope died the first of September of the same year, at the very moment, says an historian,⁽⁴⁾ at which he pronounced the excommunication of Frederick.

(1) App. p. 562.

(2) Concilior vol. 10.

(3) Ego dixi : Dii estis et filii Excelsi omnes Ps. 81. v. 6.

(4) Abb. Ursperg. Chron. p. 221.

Alexander III. elected pope after Adrian IV. did not die until 1181. His pontificate is the longest of the twelfth century. But four anti-popes, who succeeded each other in the lapse of these twenty-eight years, under the names of Victor III., Pascal III., Calixtus III., and Innocent III., disputed and weakened the authority of the head of the church. Alexander who had been at Besancon as one of the envoys of Adrian, found in Frederick Barbarossa a formidable enemy. This emperor seeing that they had at the same moment elected two successors of Adrian, Alexander and Victor, summoned them to appear at Pavia, where he would decide between them in a council convoked by him. Victor appeared there and was pronounced the true pontiff. Alexander excommunicated by this council, in return excommunicated Frederick and Victor, loosed from their oaths the subjects of the former, and took refuge in France, then the usual common asylum of the popes expelled from Rome. Returned to this city in 1165, after the decease of Victor, he left it again in 1167, and behold in what way. The Romans besieged by the Germans, conjured him to sacrifice to their safety the title disputed with him. "No ! he replied, a sovereign pontiff is not subject to the judgment of any mortal, neither of kings nor of people, nor yet of the church ; let them know that no power on earth shall make me descend from the rank to which God has elevated me ;" and, while the cardinals carried to

the citizens of Rome this pontifical reply, the holy father stole away without noise.⁽¹⁾ Frederick at this time supported a famous war against almost all Italy, confederated under the name of the League of Lombardy. Alexander III. became the head of the Lombards, who gave the name of Alexandria, to a city built by them in 1168, at the confluence of the Tanaro and the Bormida. The pope excited the Greek emperor Manuel to arm against the emperor of the West, and attempted to reconcile the two churches, separated since the pontificate of Leo IX. But when Manuel required that the Holy See should be established at Constantinople, this condition caused the failure of both projects. To occupy a secondary rank in a capital inhabited, possessed, and ruled by a secular sovereign, this subordinate situation, which for five centuries had suited the successors of St. Peter, was not to be listened to by the successors of Gregory VII.

As France, so England likewise, acknowledged Alexander III. notwithstanding the protection he seemed to grant to Thomas a Becket, Archbishop of Canterbury. This prelate elevated by the king, Henry II., to the most eminent dignities, dared to oppose himself to the punishment of a priest convicted of assassination, and to determine that the sole punishment should be, deprivation of his benefice.

(1) Vit Alex. III. edit. a card. Arrag. p. 468.—Acerbus Morena, p. 1151.—Baron. Ann. eccles. Ann. 1167, s. 11.

The king wished that the common law should be applied, by the regular tribunals, to the frequent crimes of the members of the church ; he desired that no bishop should without his permission go to Rome or appeal to the Holy See, nor excommunicate or suspend a vassal or officer of the crown. A parliament at Clarendon adopted these articles : Becket after having at first rejected them without examination, next adopted them without reserve, lastly accused himself to the pope of having betrayed the rights of the clergy, did penance for it, and renounced the exercise of his ministry until the sovereign pontiff had absolved him. Treated as a rebel by all the peers of Great Britain, as well ecclesiastical as secular, he took refuge in France, threatened the king with the fate of Nebuchadnezzar, and pronounced anathemas against the most faithful ministers and subjects of Henry. This prince attempted to recal Becket to reason and his duty : he exhausted every way for the purpose, even that of taking for arbiter his rival Louis the Young, king of France. Let the archbishop, said he, conduct himself towards me, as the most holy of his predecessors did with the least illustrious of mine, and I shall be satisfied. An apparent reconciliation led Becket back to England : but if he returned it was to excommunicate anew all the clerks, curates, canons and bishops, who had declared against him. Henry lost all patience ; even to that degree that he exclaimed : will none of my servants

avenge me of the most meddling and ungrateful of men? Four assassins went, in effect, to seek the archbishop, and dispatched him in his church of Canterbury. Alexander, who had condemned the Articles of Clarendon, placed Thomas a Becket in the number of the holy martyrs; and the king, whose imprudent words had rendered him guilty both of the murder and the canonization, finished, by tarnishing with the most ignominious penance the rights and dignity of his throne. This quarrel has given place to a multitude of letters, as well of Alexander III. as of many English and French prelates: a deplorable correspondence, in which we behold with what rapidity were propagated the unsocial maxims preserved in the decree of Gratian.⁽¹⁾

Nevertheless, Alexander III. thought of establishing himself, and dreaded the consequences of too long a war with the emperor. He detached himself from

(1) Matth. Paris. Hist. mag. p. 82, 83, 101, 104.—Collier's Ecclesiastical History, vol. 1, s. 12.—Concil. Magnæ Britann. vol. 1. p. 434.—Epistolæ et Vita Thomæ Cantuar. &c. Brux. 1682, vol. 2. in 4to.—Natalis Alex. sec. 12, diss. 10, p. 833.—Velly's Hist. of France, vol. 3, p. 181, 198.

Some English writers say that the four assassins, Fitzurse, Tracy, Britton and Morville, were so far from having an order to kill Becket, that they dared not re-appear at Court after the commission of the crime. Hume adds, that the king suspecting the intention of these gentlemen from some words which had escaped them, dispatched a messenger after them, prohibiting their attacking the person of the prelate, but that the messenger arrived too late.

the Lombard League, and came to Venice in 1177, to offer Frederick a peace, which the reverses of this prince were to render useful and glorious to the church. The pope reaped the fruits of the labours and combats of Italy. Frederick acknowledged Alexander, kissed his feet, held the stirrup of his horse, and restored the ecclesiastical goods, without, however, including herein the inheritance of Matilda, and signed a truce for six years.⁽¹⁾ For ten years past, Alexander had invariably resided at Anagni; he seldom resorted to Rome, where the seeds of sedition had not ceased to ferment. He returned to it in 1178; his entry was solemn; he received the homage of the people and the oaths of the nobles, and held in 1179 the third general council of the Lateran. A crown being sent by him to the king of Portugal, Alphonso Henriquez, in order that this conqueror should not reign without the approbation of the Holy See, he was repaid by an annual tribute of two marks of gold.⁽²⁾ Such have been the principal events of the pontificate of Alexander III. to whom the college of cardinals is indebted for the exclusive privilege of electing the popes; he ruled that this election should be effected by the union of two thirds of the suffrages in favour of one candidate. The memory of this pope has remained dear to the Italians, who were pleased at be-

(1) Muratori's *Antiquit. Ital. med. ævi.* vol. 4, p. 249.—*Orig. Guelph.* vol. 2, p. 479.

(2) Velly's *Hist. of France*, vol. 3, p. 327.

holding in him the defender of their liberties ; but he evinced still more zeal for the aggrandizement of the ecclesiastical power. They owe greater praise to his address and constancy than to his patriotism. He knew how to triumph over obstacles, support long reverses, weary out the prosperity of Frederick Barbarossa, and subject to the pontifical authority, the enemy of the Italian republics.

Lucius III. the first elected in the the forms established by Alexander, displeased the Romans on this very account, who compelled him to retire to Verona. Urban III. and Gregory VIII. proposed a third crusade, which was not undertaken until under Clement III. in 1189. To draw France and England towards the Holy Land, it was requisite to deaden the ardour of the quarrels which, from the divorce of Louis VII., divided the two kingdoms. A legate of Clement III. threatened France with a general interdict, if Philip Augustus did not hasten to reconcile himself to the English. "What do I care for your interdict, replied Philip: does it belong to Rome to threaten or disturb my States, when I think proper to bring back to duty my rebel vassals? we may plainly see you have got a relish for the sterling money of the English."⁽¹⁾ Philip assumed the cross, nevertheless, as well as Richard, who had succeeded his father, Henry, on the throne of England. Frederick Barbarossa also took the

(1) Velly's Hist. of France, vol. 3, p. 327.

cross and died in Armenia, in 1190, leaving the empire to his son Henry, VI. Clement III. had need to occupy the peoples minds with this remote expedition. The papal authority had been weakened anew under the short and feeble pontificates of his two predecessors. The Romans who had obtained royal privileges, restored them to the Holy See, only on condition that the cities of Tusculum and of Tivoli should be given up to their vengeance. Tusculum sacked and reduced to cinders under Celestin III. took the name of Frescati, when branches of trees⁽¹⁾ served to form asylums for those that remained of the inhabitants.

Celestine III. elected in 1191, is the last pope of the 12th century. Innocent III. who reigned from 1198 to 1216 ought to be considered belonging to the XIII. Baronius relates⁽²⁾ that in consecrating Henry VI. Celestine pushed with his foot the imperial crown. Muratori disputes the fact,⁽³⁾ which proves, according to Baronius, the popes right to depose the emperor: in fine there can no finer reason be given for such a privilege. However it may be, Celestine excommunicated Henry VI. Leopold Duke of Austria, Alphonso X. king of Leon, and annulled the decision of the French bishops, who had approved the repudiation of Ingelburg II. the wife of Philip Augustus. It is to be remarked that these anathemas al-

(1) Frasche.

(2) Ann. eccles. ann. 1191.

(3) Ann. d'Ital. ann. 1191.

though still formidable, had lost a large portion of their unfortunate efficacy. Philip took a third wife, without any new opposition on the part of Celestine. This pope, for some marcs of silver, acknowledged, as king of Sicily, Frederick II. a child of three years, son of the emperor Henry VI. In 1197, Henry died, and Germany was divided between Philip of Swabia, and Otho of Saxony ; the simultaneous election of these two emperors became one of the causes of the aggrandizement of the pontifical power. Divisions in Germany, rivalry between France and England, new governments in almost all the states of Italy, expeditions into Palestine, hostilities of the crusaders against the emperors of the East, the propagation of the false decretals in the West : all concurred to promise the most splendid success to the pontiff, who, uniting boldness to skill, should reign sufficiently long to conduct a great enterprise : and this pontiff was Innocent III.

CHAPTER VI.

POWER OF THE POPES OF THE THIRTEENTH CENTURY.

Innocent III. in one and the same year, bestowed in the plenitude of his power three royal crowns; to Ioanice, that of Walachia⁽¹⁾; to Premislaus, that of Bohemia⁽²⁾; to Peter II., that of Arragon. Peter received his at Rome, and did the pope homage for his states, which became tributary to the Holy See.⁽³⁾ But Innocent, the dispenser of kingdoms, and who even gave away that of Armenia, distinguished himself still more frequently by his anathemas. Venice, France, England, the emperor, all the great potentates of Europe, have experienced the force of his spiritual arms.

The Venetians, already powerful by their commerce, had assumed the cross but for the purpose of extending it; they gained lands and riches in meriting indulgences. Alone capable of equipping great fleets, they exacted eighty-five thousand crowns of gold for transporting the Christian army into Pales-

(1) Fleury's Eccles. Hist. l. 75, n. 14, l. 76, n. 8.

(2) Ibid. l. 76, n. 9.

(3) Ibid. l. 76, n. 10.

time ; and, with the assistance of the legions they conveyed, conquered important places in Dalmatia. Innocent, in order to put a stop to their progress, thought of excluding them from the bosom of the Church. But one of the effects of commercial prosperity is, to weaken in people's minds the dread of ecclesiastical censures : the Venetians made themselves masters of the city and territory of Zara : they continued to fortify and aggrandize themselves ; the anathema launched against their republic, had no important effect : the pontiff abstained from renewing it.

He treated Philip Augustus more rigorously. This monarch of France received from Innocent an express order to take back the divorced Ingelburg, and send away Agnes or Maria de Meronie, whom he had married after this divorce. The king at first assumed an attitude sufficiently bold : but the kingdom was under interdict ; the divine offices, the sacraments, marriages, had ceased ; the permitting the beard to grow enjoined ; the use of flesh forbidden ; mutual salutation prohibited. It was in vain that Philip humbled himself, he was obliged to ask of the pope a new enquiry into the affair ; it even became necessary to prevent the result of this examination, by declaring that he was about to recal Ingelburg. She was indeed allowed the titles of wife and queen, but it was in the confinement of a castle. Emboldened by this success, Innocent did not hesitate to erect himself into a supreme arbitér between the kings of

France and England, then armed one against the other. He commanded them to assemble their bishops, abbots, and nobles of their states, to deliberate on a peace, and to think on the best means of restoring the churches and abbeys which had suffered during the war. Philip replied that it did not belong to the pope to interfere in the disputes of kings, nor especially to convey to them such ordinances. Some French lords added, that the order to make peace was but another reason for continuing the war.⁽¹⁾ But Innocent replied, that an unjust war being a crime, and all crimes having for their judge the Holy Church, he fulfilled a pontifical office in disarming them both. On this principle says Fleury,⁽²⁾ the pope is judge of all the wars between Sovereigns: that is, to speak in plain terms, he is the sole Sovereign in the world. However it may be, Philip, after having renewed his course of

(1) *Ego . . . notum facio universis ad quos litteræ præsentēs pervenerint, quod ego domino meo Ph. illustri regi Francorum consului, ut neque pacem neque treugam faciat regi Angliæ, per violentiam vel per coactionem domini papæ aut alicujus papæ. Quod si dominus papa eidem domino regi super hoc aliquam faceret violentiam aut coactionem, concessi domino regi tanquam domino meo ligio et creantavi super omnia quæ ab eo teneo, quod ego super hoc ei essem in auxilium de toto posse meo.*

Acts drawn up in this form in the names of Renaud count of Boulogne, Raoul count of Soissons, and of Odo duke of Burgundy, are to be found in the Chamber of Charters, all under the date of 1202.

(2) *Eccles. Hist.* 76 m. 60 ; l. 79, no. 8.

conquest, thought proper to consent to a truce, and not irritate too far a pontiff determined on the boldest undertakings. He thus deferred, but by no means avoided, the excommunication. An anathema against Philip was one of the last acts of Innocent III., and one of the results of a new war kindled by this pontiff himself, between the king of England and France, whom he had affected to reconcile.

In fact, this very king of Great Britain whom Innocent had appeared, in 1204, to support against the French, became, a few years after, one of the victims of pontifical despotism. The pope having been desirous, in contempt of the canons and the laws, to dispose of the see of Canterbury in favour of cardinal Langton, John opposed himself to it only by fits of rage which exposed his weakness. Innocent, who knew how to use his power with more prudence, employed by degrees, three modes of repressing this intractableness: first, an interdict upon the kingdom; next, the personal excommunication of the monarch; finally, the deposition of a king who had been so fully convicted of obstinacy in his disobedience to the Holy See.⁽¹⁾ The English, already dissatisfied with their sovereign, were loosed from the oaths which they had taken to him, and the crown of England was decreed to Philip Augustus, who, imprudent enough to accept it, evinced his gratitude, by releasing Ingelburg from

(1) Bossuet, *Defens. cler. Gallie*. l. 3. c. 21.

the castle of Etampes, and re-calling her to the throne. But while Philip prepared to reap, with arms in his hands, the fruits of the pontiff's liberality, a legate named Pandolph, took advantage in England of the fright of the deposed king, and presented him the means of recovering his sceptre, by accepting it as a pure gift from the hands of the Church. On his knees before Pandolph, John placed his hands between those of this priest, and pronounced in the presence of the bishops and lords of Ireland, the following words: "I, John, by the Grace of God, king of England, and lord of Ireland, for the expiation of my sins, of my perfect accord, and by the advice of barons, give to the Roman Church, to Pope Innocent and his successors, the kingdom of England and the kingdom of Ireland, with all the rights attached to the one and the other: I henceforward hold them of the Holy See of which I shall be the faithful vassal, faithful to God, to the Church of Rome, to the sovereign pontiff, my lord, and to his successors lawfully elected. I pledge myself to pay every year, a tax of one thousand marks of silver; to wit, seven hundred for England, and three hundred for Ireland."⁽¹⁾ This discourse is scarcely ended, when the legate is presented with a part of the tribute promised to St. Peter: Pandolph casts the money on the ground, tramples it under his

(1) Innoc. 3. Epist. 1. 16. ep. 77.—Rymer Act. pub. vol. 1, p. 57.

feet, nevertheless collect it again, satisfied with thus expressing the subjection of temporal treasures as well as temporal powers. ⁽¹⁾ The sceptre and the crown remain in his hands: he keeps them five days; and when, after he has obtained some additional securities, he finally restores them, he pretends forsooth, that they are received as a perfectly gratuitous favour. He now passes immediately into France to announce what he has performed in England.—Philip learns from Pandolph, that John, the vassal of the pope, occupies, under the protection of the Holy See, the throne of Great Britain, and that henceforth every enterprise against this kingdom will be punished by excommunication. Philip replied, that he took up arms at the solicitation of the pope alone, that the preparations for it had cost two millions, that a fleet, recently equipped, is in the road at Boulogne, that it waits the troops destined to land at Dover, and that the time for receding is departed. In the mean time, the rebellion of a vassal compels the French monarch to carry the war into Flanders: to this vassal the king of England, the emperor Otho IV. and almost all the princes of Europe join themselves. But the victory which the French obtain at Bouvines, dissipates the hopes of their enemies: Otho is no longer emperor, save in name; and John would have been already dethro-

(1) Velly's Hist. of France, vol. 3. pa. 472.

ned, if Rome had not obtained for him a truce of five years. It was the English themselves who at this interval pronounced, regardless of the menaces of Rome, the dethronement of their monarch ; they offered his crown to Louis, son to Philip Augustus. New decrees of Innocent's prohibit both father and son from invading the State of a prince, a feudatory of the Holy See. The father affects to disapprove a conquest which Rome deems sacrilege, but furnishes, nevertheless, all the means for its execution : the son, in fine, embarks ; and the sovereign pontiff, who clearly sees that the father and son understand each other, excommunicates them both. Louis was almost in possession of Great Britain, when the death of John gave a different direction to men's thoughts and their affairs. (1)

As sovereign of Rome, and as possessing in Italy a very galling preponderance, the Western Emperor was the most exposed to the attempts of Innocent III. To depress the empire, it behoved above all things to re-establish at Rome and in the ecclesiastical domains, the pontifical authority ; the pope commenced, therefore, by turning to account the ascendancy which his birth, reputation, and talents, gave him over the Romans ; he abolished the consulate, and arrogated to himself the imperial rights, invested a prefect, installed the public officers, and received

(1) Velly's Hist. of France, vol. 3. *ps.* 468, 475.

the oaths of the senators. It was at this moment, says Muratori,⁽¹⁾ that the imperial authority at Rome breathed its last sigh. Out of Rome, Orbistello, Viterbo, Umbria, Romagna, and the March of Ancona, acknowledged Innocent III. for their sovereign. Reigning thus from one sea to the other, he conceived the hope of conquering Ravenna, which was still wanting to him, of possessing himself of the complete heritage of Matilda, of subjecting still further the two Sicilies, and, especially, preventing their having for master the head of the empire; this last point was always a principle in the policy of the Holy See. Once should it govern in a direct manner the most part of the Italian provinces, it would be content to exercise elsewhere, a spiritual supremacy: the States which it could not possess, it would be satisfied to bestow, to resume, or to confer on such princes as should render themselves worthy by their docility. The conjunctures of the time altogether, as we have said, favoured this plan, at the accession of Innocent III. Frederick the II. was a child whom his father had caused to be elected King of the Romans, and his mother Constance, had placed him under the protection and even tutelage of the pope. One of this guardian's first acts was, to deprive his pupil of the title of King of the Romans,

(1) "Spiro qua l'ultimo fiato l'autorità degli Augusti in Roma." Muratori, *Annals of Italy*, ann. 1198.

as well as of the prerogatives attached to the crown of Sicily. Between Philip of Swabia, and Otho of Saxony, simultaneously nominated emperors, the first of whom represented the house of Ghibeline, the second that of Guelph, Innocent determined in favour of Otho, even in prejudice of Frederick, whom he considered as a third competitor. It was, he said, to the Holy See belonged the privilege of judging sovereignly the claims of these competitors of the empire. The fortune of war favoured Philip of Swabia, with whom the prudent court of Rome already treated, when he was assassinated.— His daughter became the wife of Otho the IV. who thus having united all rights and suffrages, considered himself sufficiently powerful to refuse the pope the heritage of Matilda. Innocent now took the part of fulfilling his obligations as a guardian; he opposed his ward, Frederick, to the ungrateful Otho, excommunicated this prince, whom he had himself crowned, and raised Upper Italy against him. In this conjuncture the Ghibelines were seen armed by the pope against an emperor, whom the Guelphs sustained in his resistance to the pontiff: an historical phenomenon, which ought not to astonish us, as we have already observed, that these two parties were attached rather to particular families than to opinions. We may add, that it is the fate of permanent factions to experience many unlooked for changes, to modify according to circumstances their ori-

ginal designs, to retain their names, and their insignia, much longer than their thoughts or their sentiments, to preserve, in fine, no other invariable interest than that of remaining rivals, and falling foul of each other; it suffices them to be, and to be at war, it matters not to what end. It was especially the battle of Bouviines, which determined, as we have remarked, the fall of Otho IV. and the preponderance of the party of Frederick II. Innocent thus reaped in part the fruits of the triumph of Philip Augustus.

These disputes were connected with the crusade of 1202, which like that of 1095, and those of 1147 and 1189, placed in the hands of the pope the clue of all the movements of Europe. Each of these expeditions occasioned quarrels between the crusaders and the Greeks, and this misunderstanding appeared to Innocent an open for re-conquering the Eastern Church, escaped now two centuries from the domination of the court of Rome. The Greek empire, worn out by war and by faction, became the prey of the crusaders, who, being unable to retain Jerusalem, made themselves masters of Constantinople. Baldwin Count of Flanders, was nominated Emperor of the East; after him four other Frenchmen filled successively the same throne, while, having taken refuge in Nice, the Greek emperors reigned only over some provinces. The palaces and temples of Byzantium were plundered, and the booty collected by the French lords was estimated at a quantity of silver of

two hundred thousand pounds weight. They found it convenient to indemnify themselves in Greece for the losses sustained in Palestine; the vow which they had made, to combat only infidels, no longer repressed their covetousness; the re-establishment of holy places was but a pretext for pillaging the rich ones; and already the affectation of sentiments of religion was relinquished. "They cast, says Fleury,⁽¹⁾ the relics into unclean places, they scattered on the ground the body and blood of our Lord; they employed the sacred vases for profane uses, and an insolent woman danced in the sanctuary and seated herself in the chair of the priest." Innocent, who was not ignorant of these profanations and complained of them, did not approve the less of the conquest: "God, said he, willing to console the church by the re-union of the schismatics, has caused the empire of the haughty, superstitious and disobedient Greeks to pass over to the humble, catholic, and submissive Latins."⁽²⁾

Another benefit derived from the crusades was, the application of their names to many other leagues formed or fomented by the Roman Church. Innocent III. is the inventor of this artifice, which evinces an abundant acquaintance with the means of leading minds astray by the illusion of words: he applied

(1) Hist. eccles. l. 76. n. 2.

(2) Innoc. III. Epist. l. 8. ep. 69.

to the service of his serious political designs, the enormous power of a word which, for the period of one hundred and ten years, had the effect of exciting through Europe the most blind and restless enthusiasm. He preached therefore a crusade against England when he had determined on dethroning John ; a crusade against the Hungarians when he affected to become the arbiter of their intestine dissensions ; a crusade against a king of Norway, whom also he wished to depose ; but above all, a crusade against the Albigenses, a sect extended through the entire south of France. Raymond VI. Count of Tholouse, because he protected the Albigenses his subjects, was excommunicated as the abettor of heresy ; and, one of the legates, who excited these troubles, having received a mortal wound, the states of the count, accused without any proof of the assassination, were declared vacant, and the prize of the first crusader who possessed himself of them. In vain Raymond humbled himself to degradation : in vain he had the more culpable weakness to take up the cross himself against his own subjects ; Simon de Montford obtained these wretched provinces, purchased by torrents of blood, with which he had inundated them. Raymond took refuge with his brother-in-law, Peter II. king of Arragon, who, after useless intercession with Innocent, took arms against Simon de Montford, and perished at the battle of Muret, in 1213. Two years afterwards the pope in the midst

of a Lateran Council, definitely deposed Raymond, granting him a moderate pension, and bestowed his states on Simon, whom they dared to name Macca-beus, and who died in 1218 at the siege of Thoulouse. We do not mean to exculpate the Albigen-ses altogether, sometimes also denominated Vaudois, because there are numbers residing in the valleys of Piedmont, and often Good-men, from the regularity of their manners ; but, to exterminate thousands of worthy men, because they were deceived, and to de-throne him who ruled them, because he did not per-secute them speedily enough, such excessive severity unveils the character and displays the power of Inno-cent III.⁽¹⁾

It is not without an object that this pope is ap-plauded for the establishment of the inquisition. In fact, Lucius III. from the year 1184, had ordered the bishops to seek out heretics, to subject them to spiritual, and deliver them over to secular punish-ments ; but this first germ of so formidable an in-stitution was developed before the time, when Inno-cent III. thought of sending into Languedoc two Cistercian monks, charged to pursue the Albigenes, to excommunicate them, and denounce them to the civil authority, which was to confiscate their wealth, or proscribe them, under pain of incurring itself ecclesi-cal censures. Friar Raynier, friar Guy, and the

(1) Velly's Hist. of France, vol. 3., p. 430, 468.

archdeacon Peter of Castelnau, are the first inquisitors named and known in history. Innocent enjoined the people and their rulers, to obey them ; the sovereigns, to proceed against the heretics denounced by these missionaries ; the people, to take up arms against disobedient princes, or those who evinced too little zeal. Those first ministers of pontifical vengeance had soon fellow helpers, among whom St. Dominick is distinguished ; and from the year 1215, their functions had acquired sufficient consistence and splendour to be solemnly approved in the Lateran council.⁽¹⁾ Without doubt, the inquisition, a kind of permanent crusade, had not been perfected or consolidated, save under the successors of Innocent : but, without the memorable experiment he had the honour of making, it is doubtful if it had so tremendously flourished or brought forth its fruits.

Among three hundred popes, or anti-popes, of which history presents us with the names, we know none of them more imposing than Innocent III ; his pontificate is most worthy the attention and study of European monarchs : there they may learn to what extent temporal power, united with ecclesiastical functions, amplifies and perverts them ; to what universal supremacy was the papacy destined ; in fine, what tyranny did it not exercise over princes,

(1) *Concilio*, vol. 11, p. 142.—*Director Inquis.* part. 1, c. 2.

and over people, whenever political circumstances, even in a small degree, favoured sacerdotal ambition. A pope, said Innocent, the vicar of Christ, is superior to man, if he be inferior to God—*minor Deo, major homine*; he is the light of day; the civil authority is but the pale planet of the night. It was Innocent III. who discovered in the chapter of Genesis this celestial theory of the two powers, and it was by similar allegories, ⁽¹⁾ proofs of the ignorance of the age and of his own, that he subjugated the West, troubled the East, and governed, and deluged the world with blood. “Sword, sword,” cried he, on learning the descent of the French on England; “sword, sword” “spring from the scabbard and sharpen thyself to exterminate.” Such were the words of his last address. ⁽²⁾ In the midst of the anathemas which he pronounced against Louis and Philip Augustus, he was seized with a fever, which, in a very few days brought on a paralysis, a lethargy, and finally the death of the most haughty of pontiffs, of the most skilful enemy of kings. He had governed the Church, or rather Europe, for eighteen years ten months and nine days; it is the most brilliant period of the papal power. England, Poland, Portugal, and we know not how many other States besides, became his tributaries. All historians of this era ⁽³⁾

(1) Innoc. III. Serm. de consec. pontif. op. vol. i. p. 180.

(2) Fleury's eccles. Hist. l. 77, n. 62.

(3) Thom. Cantiprat. in vita St. Lutg. virg. apud Surium 16 Jun.—Raynald. ad. ann. 1216.

relate, that in a mysterious vision, St. Lutgarde saw Innocent III. in the midst of flames, and that this pious maid having asked him, wherefore he was thus tormented, he answered, that he should continue so to be till the day of judgment, for three crimes which would have plunged him into the depths of the eternal fire of hell, if the holy virgin to which he had dedicated a monastery had not averted the divine wrath. We may be allowed to doubt respecting the vision: but, says Fleury,⁽¹⁾ this relation proves persons of the greatest virtue were convinced that this pope had committed enormous crimes. What were the three to which St. Lutgarde alluded? It would be extremely difficult to select them in the life of Innocent.

After having had too weak a successor in Honorius III. his place was more worthily supplied by Gregory IX. This pope announced his pretensions by the extraordinary pomp of his coronation.—Historians⁽²⁾ describe this gorgeous ceremony, in which nothing was omitted which could threaten Europe with a universal monarchy. Frederick II. who in receiving the imperial crown from the hands of Honorius, had ceded the heritage of Matilda, and placed his own son on the throne of the two Sicilies, in order that this kingdom should not remain united

(1) Hist. eccles. l. 77, n. 62.

(2) Fleury's eccles. Hist. l. 79, n. 21.

to the domains of the empire; notwithstanding so many compliances, and though he was the foster child as it were of the court of Rome, Frederick II. became the principal victim of the enterprises of Gregory IX. Not content with creating against this prince a new Lombard league, Gregory, impatient to remove him from the midst of European affairs, summoned him to perform the vow which he had taken to go and combat the infidels in Palestine. Frederick embarked, but called back to Brundisium by illness, was excommunicated as a perjurer: he resumed his route, and for proceeding without absolution he was excommunicated anew. He arrives, he compels the sultan of Egypt to abandon Jerusalem, Bethlehem, Nazareth, and Sidon to him, yet, because he treats with an infidel and signs a truce, he is a third time excommunicated. On returning to Europe, he found La Pouille invaded, Italy armed against the empire, and his own son drawn by the pontiff into rebellion and almost into parricide. He triumphed, nevertheless, over so many enemies, arrested and imprisoned his unnatural son, and above all took advantage of a sedition of the Romans against the pope. The Romans who had resumed under Honorius the love of independence, banished Gregory IX. who, compelled to negotiate with the emperor, consented to absolve him for a large sum of money. But Gregory, among other pretensions, claimed Sardinia as a domain of the Holy See. Frederick claimed it as

a fief of the empire. Now follows a fourth excommunication, in which Gregory, by the authority of 'Father, Son and Holy Ghost,' the authority of the apostles and his own, anathematizes 'Frederick, late emperor,' looses from their oaths those who had sworn fidelity to him, and forbids them to recognize him as sovereign. This bull, sent to all monarchs, lords, and prelates of Christendom, was accompanied by a circular letter, which commands the publication of the anathema, to the sound of bells, throughout all the churches. Various writings of the Holy Father⁽¹⁾ represent Frederick as one of the monarchs described in the Apocalypse; political and religious crimes of every species are imputed to this prince by him, even that of having termed Moses, Jesus, and Mahomet, three impostors. Frederick stooped to reply to this torrent of accusation and insult; and that the apology should correspond with the accusation, he treated Gregory as Balaam, as Antichrist, the great dragon, the prince of darkness. By a special epistle⁽²⁾ to the king of France, Louis IX. or St. Louis the pope offered the empire to the brother of this monarch, Robert count of Artois, on condition that the French should make a crusade against Frederick. St. Louis replied,⁽³⁾

(1) Concilior. vol. 11, p. 340, 346, 357.

(2) Matt. Paris, ann. 1239, p. 444.

(3) Ibid.—Daniels, Hist. of France, vol. 3. p. 210.—Bossuet Def. Cler. Gall. l. 4. c. 6.

that he saw with astonishment a pope attempt to depose an emperor ; that such a power belonged to a general council alone, and only on the plea of the acknowledged unworthiness of the sovereign ; that Frederick on the contrary appeared irreproachable ; that he had exposed himself to the dangers of war and of the sea, for the service of Jesus Christ, while Gregory, his implacable enemy, took advantage of his absence to plunder him of his States ; that the pope, counting for nothing the rivers of blood which had flowed to satisfy his ambition or his vengeance, wished to subject the emperor, for the sole purpose of afterwards subjugating all the other sovereigns ; that his offers proceeded less from a predilection for the French, than from inveterate hatred for Frederick ; that he would, however, make inquiry as to the orthodoxy of this prince, and if he proved a heretic, would make the most implacable war against him, as in such case he would not fear doing with the pope himself. This epistle, without doubt, mingled errors of the grossest kind with the expression of the most generous resolutions. What ! an assembly of priests possess the right of dethroning a sovereign ! What ! the religious opinions of a prince be a sufficient motive, with those who did not possess the same, to declare war against him ! Yes, such were the indisputable results of those decretals from which the popes had compiled the public law of Christendom.

But the more deplorable this madness, the greater is the homage due to the prince, who, fettered by the bands of so many prejudices, could find in his own excellent heart a disinterestedness, a loyalty, and a courage, worthy of the happiest periods of history.

All the reputation of his exemplary piety was needed by Louis IX. to escape the anathemas of Gregory IX. and even the enterprises of the French bishops; for he repressed the bishops with firmness, whenever his understanding allowed him to perceive the abuses of their spiritual functions which they practised. They were seen, for the most trifling temporal interest, shut the churches, and suspend the administration of the sacraments. Experience had taught them the efficacy of these measures; they obtained by this species of pettishness the various objects of their desires. But a bishop of Beauvais, and an archbishop of Rouen, having employed this system with too little caution, and thinking proper to excommunicate some royal officers, St. Louis had their temporalities seized, and obtained from the pope a bull which forbade the interdiction of the royal chapels. "He had for a maxim, never to yield a blind respect to the orders of the ministers of the church, whom he knew to be subject to the intemperancies of passion as well as other men." Thus does Daniel the historian express himself, the least suspected assuredly that we can instance here. Joinville relates how the clergy complained bitterly of the little concern of

civil officers for sentences of excommunication, and how Louis IX. expressed himself so decisively, on the necessity of ascertaining the justice of these sentences, that they abstained from urging the matter on him. This pious monarch one day caused the money levied for the Holy See to be seized, being unwilling it should be applied to the accomplishment of the ambitious projects of Gregory IX. The pontiff, to be revenged, annulled the election of Peter Charlot to the bishoprick of Noyon; this person was a natural and a legitimated son of Philip Augustus. Louis IX. was not to be shaken; he declared that no other person should possess this bishoprick. Gregory, though he exaggerated his pontifical power, though he protested, that God had confided to the pope the privileges of empire on earth as well as in heaven, confined himself to simple menaces; and France was indebted to her pious sovereign for a firmness, which he had still further occasion to manifest under the succeeding pontificates.

That of Gregory IX. more particularly memorable for the disputes with the emperor Frederick II., is so, likewise, for the publication of an ecclesiastical code compiled by Raymond de Pennafort the third general of the Dominicans. Since the decree of Gratian, decretals, and collections of decretals, had multiplied to that degree that one could scarcely see his way among them. Gregory had, to his own decisions, caused those of his predecessors from Eugenius

III. to be added. There resulted from it a collection, of which the subjects are distributed into six books. A sorry verse⁽¹⁾ which announces this distribution, may be too faithfully translated and appreciated in the following :

Judges, judgments, the clergy, marriages, and crimes.

The canonists cite this code under the name of 'The Decretals of Gregory IX.' or simply 'The Decretals,' and sometimes by the word 'extra,' that is, without the decree of Gratian ; which decree had been for two centuries the sole source of ecclesiastical jurisprudence. As fruits of the vast correspondence of Alexander III., of Innocent III. and of Gregory IX., these five books are in every respect worthy to serve as a sequel to the decree: they have with it contributed to the propagation of maxims subversive of all government.

The election of Sinibald of Fiesque to the papacy, seemed to promise some years of peace between the priesthood and the empire : Sinibald had for a long time been connected by friendship with Frederick ; but the cardinal friend became a pontiff enemy, even as the emperor had foretold. Innocent IV. the name of this pope, having placed on the absolution of Frederick, conditions which he would not accept, war was rekindled, and the pope, compelled to fly from

(1) *Judex, judicium, clerus, sponsalia, crimen.*

Genoa, his country, came thence to solicit an asylum in France. Louis IX. consulted his barons, who maintained, that the court of Rome was always expensive to its guests, that a pope would obscure the royal dignity, and would form in the state another independent one.⁽¹⁾ Rejected by the King of France, refused also by the King of Arragon, Innocent addressed himself to the English, whose reply was not more favourable. What! they say, have we not already simony and usury, wherefore then need a pope, who would come in person to devour the kingdom and our churches. Very well! cried the pontiff, incensed at this triple affront; we must finish with Frederick; when we have crushed or tamed this great dragon, these petty serpents will not dare to raise their heads, and we shall crush them under our feet.⁽²⁾ To attain this object, he holds a general council at Lyons,⁽³⁾ a city which at that time belonged neither to France nor the emperor: the archbishops usurped to themselves the sovereignty in it, and maintained that it had ceased to be a fief of the empire. There Frederick II. was

(1) Velly, vol. iv. p. 306, 307. (2) Matt. Paris, p. 600.

(3) While Innocent was at Lyons, some prebends of the church of this city became vacant, and he attempted to bestow them, in the plenitude of his authority, on foreigners, his relatives; but the people, and even the clergy of Lyons, resisted him to his face, and compelled him to relinquish this undertaking.

deposed: "In virtue, says the pope, of the power to
 "bind and to loose, which Jesus Christ has given
 "us in the person of St. Peter, we deprive the late
 "emperor, Frederick, of all honor and dignity; we
 "prohibit obedience to him, to consider him as em-
 "peror or king, or to give aid or counsel to him,
 "under the penalty of excommunication by the act
 "alone."⁽¹⁾ To annihilate the house of Swabia had
 been for a long time the most ardent wish of the
 popes, especially of Innocent IV.; but he pro-
 claimed almost fruitlessly, a crusade against Frede-
 rick: real crusades occupied them at the time, that
 is, expeditions into the East, and the fugitive Inno-
 cent IV. did not inherit the omnipotence of Innocent
 III.. The low clergy itself no longer adored the pon-
 tifical decrees: a curate of Paris, announcing to his
 parishioners that which deposed Frederick, addres-
 sed them in these remarkable words: "I am igno-
 "rant my very dear brethren, of the motives of this
 "anathema, I only know, that there exists between
 "the pope and the emperor great differences, and an
 "implacable hatred; which of them is right I can-
 "not inform you: but I excommunicate as far as
 "in me lies, him who is wrong, and I absolve him
 "who is aggrieved in his privileges." This is the
 most sensible sermon which, to our knowledge,
 has been preached in the 17th century. St. Louis,

(1) Fleury, l. 81. n. 9.

who censured more loudly than the curate the deposition of Frederick, went to Cluni, and drew the pope there also, whom he would not suffer to enter farther into the kingdom. Their first conferences remain secret; and all that can be said of them is, that the obstinate pontiff was deaf to the pacific counsel of the sainted king. But history ⁽¹⁾ has handed down to us a little more of the details of a second interview, which took place the following year, at Cluni also, between Innocent and Louis. "The Holy-land is in danger, said the king; and no hope exists of delivering it without the help of the emperor who holds so many ports, isles, and coasts under his authority. Most Holy Father, accept his promises, I beseech you in my own name, and in the name of the thousands of faithful pilgrims, in the name of the universal church: open the arms to him who seeks for mercy: it is the gospel which commands you to do so; imitate the goodness of him whose vicar you are."

The pope 'bridling up,' says Fleury, ⁽²⁾ persisted in his refusal. Thus these two personages, we may say, exchanged their provinces; it was the monarch who assumed the charitable language of the gospel, it was the priest who preserved the inflexible attitude of presumptuous power. At the same period, we

(1) Matt. Paris, p. 697. Velly's Hist. of France, vol. iv. p. 469.—La Chaise's Hist. of St. Louis, p. 449.

(2) Hist. Eccles. l. 83. n. 40.

behold a sultan of Egypt, Melie-Saleh, giving lessons of probity to the successor of St. Peter. Pressed by Innocent IV. to abandon, contrary to the faith of treaties, the interests of Frederick, Melie-Saleh replied: "Your envoy has spoken to us about Jesus Christ, with whom we are better acquainted than you are, and whom we more worthily honour.—You pretend that peace between all nations is the object of your desires; we do not desire it less than you. But there exists between us and the emperor of the West, an alliance, a reciprocal friendship, which commenced with the reign of the sultan our father, whom may God receive to glory: we shall therefore, conclude no treaty unknown to Frederick, or contrary to his interests." However, after useless attempts at reconciliation, and various vicissitudes of success and misfortune, Frederick died in 1250, probably strangled, as they say, by his son, Manfred. On receiving this news, Innocent IV. invites the heavens and the earth to rejoice; these are the very words of a letter⁽¹⁾ which he wrote to the prelates, lords, and people of the kingdom of Sicily. He terms Frederick the son of Satan.

Conrade IV. son of Frederick II. was called to succeed him; and, in the absence of Conrade, Manfred his brother governed the two Sicilies. Innocent declares, that the children of an excommu-

(1) Hist. Eccles. l. 83, n. 25—26.

nicated person can inherit nothing from their parent ; he proclaims a crusade against them, and draws into the revolt the Neapolitan nobles. Manfred succeeded in subduing them ; he took the city of Naples by assault, and compelled the pope to fly once more to Genoa. The crusade is again preached against the sons of Frederick, and their kingdom is offered to an English prince. The quarrels which soon sprang up between the two brothers, re-activated the hopes of the Court of Rome ; it received the most lively expectations from them, when it learned the death of Conrade, when Manfred was suspected of parricide, and nothing more was wanting, but to destroy the last branch of the house of Swabia, Conradine, a child of ten years of age, the son of Conrade, and as grandson, legitimate heir of Frederick II. The pope hesitated no longer to erect himself into king of Naples : in order to support this title, he levied an army ; but this army had only a legate for its leader ; it was beaten by Manfred. Innocent IV. died from despair in consequence, at the moment he had entered on a negociation with Louis IX. which had for its basis, the conferring on a brother or son of this monarch, the kingdom of the two Sicilies. This pope had excited a civil war in Portugal, by deposing the king Alphonso II., already interdicted by Gregory IX., and calling to the throne a count of Boulogne, brother of Alphonso. Innocent had disputes also with the English, who complained loudly of his ex-

tortions, his breach of the laws, and disregard of treaties. "The Peter's pence tax did not satisfy him, they said; he exacted from all the clergy enormous contributions; he had general taxes assessed, and levied, without the king's consent: in contempt of the right of patrons, he conferred benefices on Romans, who did not understand the English tongue, and who exported the money of the kingdom." (1) Let us observe further, that

(1) Fleury's Ecclesiastical Hist. l. 82. n. 28. He relates also, l. 83, n. 43, the reproaches which Robert Greathead, bishop of Lincoln, a learned and pious prelate, addressed to the Court of Rome, and particularly to Innocent IV.

"The pope has not been ashamed to annul the constitutions of his predecessors, with a *Non obstante*: in which he evinces too great a contempt for them, and gives a precedent for disregarding his own. Although many popes have already afflicted the church, this pope has reduced it to a greater degree of bondage, principally by the usurers he has introduced into England, and who are worse than the Jews. Besides, he has directed the friars preachers and the friars minors, when administering to the dying, to persuade them to bequeath by will their property for the succour of the Holy Land, in order to defraud the heirs of their wealth whether they should live or die. He sells crusaders to the laity as formerly sheep and oxen were sold in the temple, and measures the indulgence by the money which they bestow towards the crusade: furthermore the pope commands the prelates by his letters, to provide such a one with a benefice, according as he may wish to purchase, although he be a foreigner, illiterate, in every respect unworthy, or ignorant of the language of the country: so that he can neither preach nor hear confessions, neither relieve the poor nor receive the traveller, as he is not a resident."

in publishing crusades against Frederick II. and against his son, Innocent granted greater indulgencies to them than to the expeditions into Palestine. The pope, said the French nobles, extends his own sovereignty by crusades against the christians, and leaves our sovereign the task of fighting and suffering for the faith. St. Louis was then in the Holy-land, just released from his captivity. His mother, Queen Blanche, caused the property of the pope's crusaders against Conrade to be seized: let the pope, said she, maintain those who are in his service, and let them begone never to return.⁽¹⁾ Thus did the Guelph crusade miscarry in France, in spite of the exertions of the 'pious preachers' and 'pious minors,' the zealous servants of the Holy See. But from the accession of Gregory IX. Italy and Germany

Fleury adds, that Robert Greathead enlarged on the views of the court of Rome, especially its avarice and dissoluteness. "To swallow up every thing, it drew to itself the wealth of those who died intestate; and in order to pillage with the less restraint, it divided the plunder with the king. The bishop of Lincoln still more laments, that the pope employed, in the collection of his extortions, the mendicant friars, learned and virtuous men, thus abusing their obedience by compelling them to mix with that world they had left; he sent them into England with great power as legates, in disguise, not being allowed to send there in form and openly unless the king requested it."

Such were, says Fleury, the complaints of the bishop of Lincoln, too sharp indeed, but too well founded, as appears by the writings of the period, even by the epistles of the popes.

(1) Matt. Paris, p. 713,—Velly's History of France, vol. v. p. 102—100.

never ceased to be torn by the factions of Guelph, and Ghibeline, which assumed more and more their original direction, the latter against the pope, the former against the emperor, and especially against the house of Swabia.

Alexander IV. who succeeded Innocent in 1254, continued to contend with Manfred, summoned him, excommunicated him, and designed him for the victim of a crusade, which did not, however, take place. The pope succeeded only in extorting from the king of England, Henry III. fifty thousand pounds sterling. Henry had made a vow to go into Palestine ; this vow was commuted into a stipulated contribution, destined to the support of the war against Manfred. To obtain such a sum, Alexander promised the crown of Naples to prince Edward, son of Henry ; which did not, however, prevent his continuing the negociation with Louis IX. and his brother Charles of Anjou. But Alexander was not sufficiently favoured by circumstances, and was too little endowed with energetic qualifications, to obtain much success ; he could scarcely keep his ground in the midst of his own domains : a sedition of the Romans compelled him to withdraw to Viterbo, and his seven years reign produced no important result, unless we consider as such the establishment of the inquisition in the bosom of France. We are concerned we cannot conceal, that St. Louis had solicited as a favour such an institution. It had become from the

time of Innocent III. much consolidated : in 1229, a council at Thoulouse had decreed, that the bishops should depute in each parish one clergyman, and two laymen, for the purpose of seeking out heretics, denouncing them to the prelates appointed to try them, and delivering them to the officers charged with their punishment. Gregory IX. in 1233, had invested the Dominicans, or brother preachers, with these inquisitorial functions ; the church was unquestionably enriched by this new power, and St. Louis had the misfortune of not preserving his subjects from it. He paid two enormous tributes to the ignorance of his age, the crusade, and the inquisition.— He was even not far from assuming the Dominican habit, and ceasing to be a king in order to become an inquisitor.⁽¹⁾ We enter into these particulars, because they are all effects of the ascendency of the popes, of that unbounded extent which their temporal royalty gave to their ecclesiastical authority.— Alexander IV. was a zealous protector of the monks, especially the mendicants. This predilection made him unjust to the universities ; he was the avowed enemy of that of Paris. The historian of this university, Egasse du Boulay,⁽²⁾ tells us, that the death of this pope gave peace to the Parisian muses.

It was a Frenchman, born at Troyes, who become

(1) Velly's *Hist. of France*, vol. v. p. 193—197.

(2) *Hist. Univ. Paris*, vol. iii. p. 366.

pope by the name of Urban IV. advanced principally the negotiations with the count of Anjou. Impatient to exterminate Manfred, Urban saw too well that the publication of crusades, indulgencies, the equipment of pontifical troops, with all the temporal and spiritual arms of the Holy See, would remain powerless, without the active participation of a sovereign, interested by the allurements of a crown, to complete the ruin of the house of Swabia. Popular commotions rendered the residence of Rome rather uneasy to the sovereign pontiff; Urban had retired to Orvieto, whence by some mutinous acts, he was again driven to Perugia. He was, therefore, solicitous to conclude with Charles of Anjou; although this prince had seemed to detach himself from the pope, in accepting the dignity of senator of Rome, and the treaty, was about to be signed when Urban died: his successor, Clement IV. completed his design.

The incompatibility of the crown of Sicily with the imperial crown, as also with the sovereignty over Lombardy, or over Tuscany; the cession of Beneventum and its territory to the Holy See: annual tributes and subsidies to the church; recognizance of the immunities of the clergy of the Two Sicilies; inheritance of this kingdom reserved to the descendants of Charles alone; in default thereof, power granted to the pope to choose the successors to them. Such were the principal conditions of the treaty,

which called Charles of Anjou to reign over the Neapolitans. He would have subscribed to still more humiliating ones. He promised to abdicate before the expiration of three years the title of senator of Rome; even to renounce it sooner, if he completed before this period the conquest of the kingdom which had been bestowed him, and, to neglect nothing to dispose the Romans to concede the disposal of this dignity to the sovereign pontiff: he subjected himself to interdiction, excommunication, deposition, if he should ever break his engagements: he finally pronounced an oath, framed in these terms: "I, performing full allegiance and vassalage to the church, for the kingdom of Sicily, and for all the territory on this side the Pharos of Messina, to the frontiers of the ecclesiastical state, now and henceforward promise to be faithful and obedient to St. Peter, to the pope my supreme liege, and to his successors canonically elected; I shall form no alliance contrary to their interests; and, if from ignorance I shall be unfortunate enough to form such, I shall renounce it on the first order which they may be disposed to signify to me.⁽¹⁾

It was in order to obtain so precarious a crown, to usurp a throne so degraded, that Charles of Anjou entered Sicily, animated by his presence the Guelphic faction, and set it at variance, from the Alps

(1) Velly's Hist. of France, vol. v. p. 326—345.

to Mount Etna, with that of the Ghibelines. The latter attached itself more than ever to Manfred, who, after some success, fell and perished at the battle of Beneventum. The young Conradine, until now eclipsed by Manfred, and detained by his mother in Germany, at length appeared: everywhere the Ghibelines received him, and strenuously supported him against the arms of Charles, and the anathemas of Clement; but, defeated at the plain of Tagliacozzo, he fell into the hands of his rival. Charles was ungenerous enough to deliver his disarmed enemy into the hands of corrupt judges: distrust and revenge borrowed juridical forms; Conradine, at the age of eighteen, was decapitated at Naples, the 26th October, 1268; and the most faithful defenders of his indisputable rights shared his fate. The Ghibelines were proscribed through all Italy; rivers of blood bathed the steps of the subaltern throne, in which Charles went to seat himself at a pontiff's feet. Some writers assert that Clement disapproved of the murder of the young prince; others accuse him of having advised it, and of having said, that the saving of Conradine, would be the ruin of Charles; that the safety of Charles exacted the death of Conradine.⁽¹⁾ However it was, the Holy See triumphed by the extinction of the house of Swabia.

(1) Vita Corradini, mors Caroli; mors Corradini, vita Caroli. Giannone, Istoria di Napoli, l. 19, c. 4.

Full of the idea of his power,⁽¹⁾ Clement decided, that all ecclesiastical benefices were at the disposal of the pope; that he could confer them whether vacant or not vacant, giving them in the latter case in reversion, or as they term it in expectancy. Such audacity astonished Louis, and the indignation he conceived at it dictated an ordonance, known by the name of 'the pragmatic sanction,' of which the following is a summary :⁽²⁾

"The prelates, patrons, and collators to benefices, shall fully enjoy their privileges.

"The cathedral and other churches of the kingdom shall make their elections freely.

(1) "Nothing proves better," says a modern author, "the influence of superstition.....than the number of crusades preached by order of Clement IV. A crusade into Spain against the Moors, whom they wished to exterminate; a crusade into Hungary, Bohemia and elsewhere, against the Tartars, whose incursions they dreaded; a crusade in favor of the Teutonic knights, against the Pagans of Livonia, of Prussia and of Courland, over whom they wished to reign; a crusade into England against the barons, whom Henry III. could not subject; a crusade into France and into Italy, to deprive the house of Swabia of the kingdom of Naples and Sicily; a general crusade for the conquest of the Holy Land. The crusaders were often opposed; they were loosed from the obligation to the one, when pressed to the execution of another; indulgences were distributed at the will of the pope; the expences of the war exhausted kingdoms, and the pope's bulls kindled flames throughout Europe." — *Milloy's Elements of General History*. — *Mod. Hist.* vol. ii. p. 184, 185.

“ The crime of simony shall be banished the kingdom.

“ Promotions and collations to benefices shall be made according to common right and the decrees of councils.

“ The intolerable exactions, by which the court of Rome has impoverished to such a wretched degree the kingdom, shall cease, save in cases of urgent necessity, and by consent of the king, and of the Gallican church.

“ The liberties, franchises, immunities, rights and privileges, granted by the sovereigns to churches and monasteries are confirmed.”

This act is so important, and does so much honour to Louis IX. that the Jesuit Griffet⁽¹⁾ disputes its authenticity. We may oppose to Griffet, the authority of his brethren Labbe and Cossart ;⁽²⁾ of Bouchel, of Tillet, Fontanon, Pinson, Girard, Lauriere, Egasse du Boulay, in fine, that of all the jurisconsults, historians, and even theologians, who have had occasion to speak of the pragmatic sanction of St. Louis. But further, we see it cited in 1491, by the University of Paris ; in 1483, in the states held at Tours ; in 1461 by the parliament ;⁽³⁾

(1) Note upon P. Daniel's History of France, vol. iv. p. 563.

(2) Concilior. vol. ii.

(3) Proofs of the liberties of the Gall. Church, vol. i. pt. 2. p. 28, 50, 55, 76,—pt. 3, p. 41, and, Real's Science of Government, vol. vii. p. 72.

in 1440, by John Juvenal des Ursins, who, in addressing Charles VII. on the occasion of the pragmatic published by this king, expresses himself in these words : " You are not the first who has done " such things ; thus did St. Louis, who is sainted and " canonized, and we must acknowledge he did well ; " your father and others have approved it." There is, then, no room to doubt, that the most pious of the French kings was the most zealous defender of the liberties of the Gallican church ; and this glorious resistance, which he made in 1268 to Clement IV. expiates the unfortunate consent that he gave to the treaty concluded between this pope and Charles of Anjou.

Thirty months elapsed from the death of Clement, to the election of his successor, Gregory X. Charles of Anjou profited of this interregnum to acquire a great authority in Italy ; he aspired even to govern it altogether. Gregory X. who, perceived this, endeavoured to oppose four obstacles to it : a new crusade ; the reconciliation of the Eastern church ; the restoration of the Western empire, and the extinction of the factions of Guelph and Ghibeline. Since the death of Conradine, the discord of these factions was almost without object : it survived from habit and personal animosities, rather than from opposition of political interests. The Guelphs more powerful from day to day, were about re-establishing the independence of the Italian cities, and perhaps re-

uniting under a head who was not to be a pope.—To provide against this danger, and to keep in check Charles of Anjou, Gregory X. confirmed the election of a new German emperor: this was Rodolph of Hapsburg, head of the house of Austria. This Rodolph renounced, in favour of the Roman church, the heritage of Matilda, and was nevertheless excommunicated, for having supported his sovereign rights over the Italian cities, and for having neglected to assume the cross. They at length became tired of these expeditions into Palestine, where the Christians, driven from the pettiest hamlets, scarcely preserved a single asylum. The Greek church, apparently reconciled to the second general council of Lyons, was not actually so for a long period. The most complete result of the pontificate of Gregory X. was the acquisition of the Comtat Venaissin, in which, however, the king of France, Philip the Hardy, reserved to himself the city of Avignon.

Nicholas III. annulled the oath taken to the emperor by the cities of Romagna; he obliged Charles of Anjou to renounce the vicarship of the empire, and the dignity of senator of Rome; he even incited Peter of Arragon to recover the kingdom of Sicily, which belonged by right of inheritance to his wife Constance. On which we must observe, that Charles had refused to marry one of his granddaughters to a nephew of Nicholas, and that this pontiff, sprung from the house of the Ursini, had

conceived the idea of dividing among his nephews the crowns of Sicily, of Tuscany, and of Lombardy, These projects did not succeed.

Martin IV. elected by the influence of Charles of Anjou, laid an interdict on the city of Viterbo, excommunicated the Forlivians, confiscated whatever they possessed in Rome, excommunicated Peter III. king of Arragon, and excommunicated Michael Paleologus, emperor of Constantinople. A league of the Venetians, of Charles of Anjou, and the pope, had little success. Another crusade was undertaken against Peter of Arragon, who beat the crusaders : the Sicilian vespers, not without some appearance of justice, were attributed to this prince; a horrible massacre, in which the French were the victims, in the year 1282, and which Martin IV. and Charles of Anjou might have prevented by a more prudent conduct.

When Celestine V. yielding to the advice of the cardinal Benedict Cajetan, had abdicated the papacy, this cardinal succeeded him, imprisoned him, and under the name of Boniface VIII., disgraced the chair of St. Peter, from the year 1294 to 1303. He excommunicated the family of the Colonnas, confiscated their estates, and preached a crusade against them. They were Ghibelines; Boniface, who had belonged to this faction, detested them for it the more. The pope answered in plain terms, that the Roman pontiff, established by providence, over kings and kingdoms, held the first rank on earth, dissipated every

evil by his sublime regards, and from the height of his throne, *tranquilly* judged the affairs of men. You know, he writes, to Edward I. that Scotland belongs to the Holy See of full right. He treated Albert of Austria, elected emperor in 1298, as a usurper, summoned him to appear at Rome, and dispensed his subjects from their allegiance; but he menaced especially Philip the Fair, king of France. ⁽¹⁾

By the bull ‘*Clericis Laicos*,’ Boniface had forbidden, under pain of excommunication, every member of the secular and regular clergy from paying, without the pope’s permission, any tax to their sovereigns, even under the title of a gratuitous gift: Philip answered this bull by prohibiting the transportation of any sum of money out of the kingdom, without permission from under his hand. This measure at first seemed to intimidate the pontiff, who, modifying his bull, authorised, in cases of pressing necessity, the contributions of the Clergy; but a legate soon arrived to brave Philip, and summon him to alter his behaviour, if he did not desire to expose his kingdom to a general interdict. This seditious priest was arrested; his detention set the pope in a rage. “God has appointed me over empires, to pluck up, to destroy, to undo, to scatter, to build up and to plant.” Thus does Boniface express himself in one of his bulls against Philip IV. That which

(1) Bossuet. *Def. Cler. Gall.* l. iii. c. 23, 24, 25.

is known by the name of 'Unam sanctam,' contains these expressions : " The temporal sword ought to
 " be employed by kings and warriors for the church,
 " according to the order or permission of the pope :
 " the temporal power is subject to the spiritual, which
 " institutes and judges it, but which can be judged
 " of God alone ; to resist the spiritual power, is
 " to resist God, unless they admit the two principles
 " of the Manicheans." An archdeacon, the bearer
 of these bulls, enjoined the king to acknowledge,
 that he held from the pope his temporal sovereignty.
 Finally, Boniface excommunicated Philip : he ordered
 this monarch's confessor to appear at Rome, to render
 an account of the conduct of his penitent ; he destined
 the crown of France to this same emperor, Albert,
 before treated as a criminal, but who now acknowledged
 by a written document, " that the
 " Apostolic See had transferred from the Greeks to
 " the Germans the Roman empire, in the person of
 " Charlemagne ; that certain secular and ecclesiastical
 " princes, hold from the pope the right of electing
 " the king of the Romans, the destined successor to
 " the empire ; and that the pope grants to kings and
 " to emperors the power of the sword." An eulogium
 is due to the victorious firmness of Philip, in opposition
 to these extravagancies : the commoners and the nobles
 of France supported him ; the clergy, though already
 imbued with ultramontane maxims, was led away by
 the ascendancy of the two former

orders. The prelates at all times adhered to the king with a reservation in favour of 'the faith due to the pope', and thirty-four of them proceeded to Rome in defiance of Philip.

A letter of this prince to Boniface, VIII. commences with these words: "Philip, by the grace of God, king of the French, to Boniface pretended pope, little or no greeting. Let your very great Fatuity take notice, &c." These insulting expressions, but little worthy of him who employed them, would have very badly succeeded, addressed to any pope who had at all less merited them than Boniface; but his pretensions really bordered on delirium, and he was altogether destitute of the political address requisite for their success. Three men, in the course of the thirteenth century, have checked the menacing progress of the pontifical power. Boniface VIII. by disgracing it with his impotent excesses; ⁽¹⁾ Philip IV., in publishing this discreditable conduct with unpunished insults; but above all, Louis IX. whose resistance, edifying like his other good works, had assumed against the worldly pride of the popes, the character and authority of the religion of Jesus Christ.

(1) For the manners and religious opinions of this pope, see the pieces published by Dupuy. p. 523—560 of the Hist. of the dispute between Boniface and Philip the Fair. Many witnesses depose, that Boniface spoke with derision of the sacraments, of the mysteries, of the gospel, and even of the immortality of the soul. "We must," he said, "*speaking* like the people, but we need not *think* like them."

Gregory VII. or Boniface VIII. would infallibly have excommunicated Louis IX. : the anathemas of the former would have been formidable, those of the latter could injure the court of Rome alone.

Boniface caused an ecclesiastical code to be compiled, which bore the name of 'Sexte,' because it was considered as a sixth book, added to the decretals compiled under Gregory IX., by Raymond de Pennafort. This sixth book itself is divided into five, which correspond in the distribution of their contents with those of Raymond's collection, and embrace, with the decretals of Boniface VIII., those of his predecessors since the death of Gregory IX. When so many pontifical laws become accumulated in the several codes, ecclesiastical tribunals, of course, become requisite in order to apply them : episcopal courts therefore sprung up. Father Thomassin fixes their origin under Boniface VIII. and this opinion appears to us a more probable one than that which traces this institution up to the twelfth century. By officials, we understand, judges properly so called, attached to the cathedrals, and to the sees of archbishops, for the purpose of pronouncing special, civil, or even criminal sentences : now this character does not sufficiently belong to certain dignitaries mentioned in the writings of Peter de Blois, and of which, in 1163, a council of Paris complained.— Furthermore, whether in the thirteenth or twelfth century, the era of the establishment of ecclesiastical

courts is certainly long subsequent to the publication of the ' False Decretals,' and to the corruption, of the ancient discipline of the church.

Legates, another instrument of the papal power, were divided into two classes : the first, chosen in the very places in which they exercised their functions ; the second, dispatched from the bosom of the Roman court, like arms extended by St. Peter, over the wide extent of Christendom. Among the former are also distinguished those who received an express and personal mission, and those who born, as it may be said, legates, held this title from a privilege annexed to the episcopal or metropolitan see which they filled. Of all these various ministers, or commissaries of the pontifical government, the most powerful would always have been detached from their proper centre, if the very excess of their pomp and power had not too often humbled, in every kingdom, the prelates they came to eclipse and to rule. Their splendour, defrayed in each place by the churches, the monasteries, and the people, excited less of admiration than of murmurs ; and even, after the third council of the Lateran had reduced them to twenty-five horses, they were still considered burdensome. It became necessary to dispose of sacred vases in order to make them presents ; and to purchase at enormous prices the decisions, answers, favours, commissions, one had occasion to demand of them. "The

“legations, says Fleury,⁽¹⁾ were mines of gold to the “cardinals, and they usually returned from them “loaded with riches.” Their avarice was so notorious and so unchangeable, that St. Bernard⁽²⁾ speaks of a disinterested legate as a prodigy; but their pride, more intolerable still, displayed too openly beneath the eyes of monarchs, the pretensions of the court of Rome, and provoked a signal resistance. Very early these Legates ‘a latere’ became unacceptable in France, and it was ruled, that none should be received there, save when they should have been demanded and approved of by the king: this is one of the articles of the Gallican liberties.

The thirteenth century is that in which the popes arrived at their highest pitch of power: councils, crusades, anathemas, canonical codes, monastic orders, legates, missionaries, inquisitors, all the spiritual arms, re-tempered and sharpened by Innocent III. were, during this century, directed against thrones, and often triumphed over them. Innocent bequeathed a universal monarchy to his successors: they have been unacquainted with the means of fully preserving this empire; but, in the year 300, some small portion of wisdom had sufficed to Boniface VIII. to have been still the first potentate in Europe, and, notwithstanding the disgrace of this last pontificate, the influence of the Holy See still continued to sway that of other courts.

(1) 4th Disc. on Ecclesiastical History, no. 11.

(2) De Consider. l. 4, p. 4, 5.

CHAPTER VII.

FOURTEENTH CENTURY.

THE residence of the popes within the walls of Avignon, from 1305 till subsequent to the year 1370, and the schism which, in 1378, divided for a long time the church between rival pontiffs, are the two leading circumstances of the ecclesiastical history of the fourteenth century ; both have contributed to the decline of the pontifical empire. It is true that in leaving Italy the popes sheltered themselves from some perils : they removed from the theatre of the commotions which their ambitious policy excited or reanimated. It is also true that the apprehension of authorising, by so imposing an example, the wandering life of the bishops, was no longer worthy of restraining the sovereign pontiff : the time was past, in which sacred laws confined each pastor within the bosom of his flock ; interests had amplified, had reformed these humble manners, and dissipated these apostolic scruples. But, to disappear from Italy, was to weaken the influence of the Holy See over the then most celebrated and enlightened

country of Europe ; it was to desert the post where they had obtained so many victories, the centre in which were united all the radii of the power they had achieved ; it was to renounce the ascendancy which the very name of Rome conveyed, whose ancient glory was reflected on the modern pontificates that seemed to continue it ; it was, in fine, to discontent the Italians, to deprive them of the last remains of their ancient consequence, and, by private rivalries, to prepare the way for a general schism. We may be astonished that this consequence should have been deferred for seventy years ; but it was inevitable ; and this schism, in exposing publicly the ambition of the pontiffs, in placing before the eyes of the multitude the picture of their scandalous quarrels, in revealing, by their reciprocal recriminations, the secret of their vices, dissipated for ever the illusion with which the power of their predecessors was environed.

The sojourn of the popes in the Comtat Venaisin, evinces at least that the pope could dispense with a residence in Rome ; and many other proofs unite here to demonstrate, that any other city could become the seat of the first pastor of the church. To fix the papacy to a geographical point would be, to cut it off from the number of institutions necessary to christianity ; for it is, without doubt, impossible that an essential article in the gospel establishment should depend on any particular locality, changeable at the will of a thousand circumstances.

Not one word in the gospel, or in the writings of the apostles points out the city of Rome as the indispensable metropolis of christianity. There is no spot upon earth, where one may not be, a christian, bishop, patriarch, or pope. But this demi-theological discussion exceeds the limits of our subject : let us return to the popes of Avignon.

To throw a light on this portion of the history of the papacy, and to compensate for the details which would occupy too much space here, we shall present in the first place, a slight sketch of the political revolutions of the fourteenth century.

In the East, the Turks were masters of Palestine. Ottoman, their head, founded the empire which bears his name ; he turned to account the discord of the Persians, the Saracens, and the Greeks ; he deprived them of Asiatic, and European provinces. The throne of Constantinople verged towards its ruin ; seditions menaced it in the city, conspiracies encompassed it in the court ; and the sons of the emperor were frequently the conspirators against him. The Russians were as yet barbarous ; but in Denmark, Valdemar, taught by adversity, did honour to, and established the throne. Under his daughter Margaret, Sweden and Norway, formed, with Denmark, but one monarchy. Poland, agitated for a long time by the Teutonic knights, respired under Casimir III. The English deposed Edward II., seconded the activity of Edward III., and con-

damned and banished the proscriber Richard. In Spain, Peter the Cruel perished at the age of thirty-five, the victim of Henry Transtamare who succeeded him. In France, Philip the Fair had for successors his three sons, Louis X., Philip the Long, and Charles IV., weak princes, and dupes of their barbarous courtiers. After them, Philip of Valois, and John his unfortunate son, supported against the English an unsuccessful war: in vain did Charles V. devote himself to the reparation of so many evils; they recommenced with aggravations during the minority of Charles VI., continued during his derangement, during his whole reign, which was prolonged into the fifteenth century.

Since the Sicilian vespers, Sicily had remained subject to the king of Arragon, Peter III., who, in spite of the anathemas of Rome, transmitted it to his descendants; from the year 1262, Charles of Anjou had only reigned over Naples. Robert, the grandson of Charles, contributed in a singular degree to fix the popes in Avignon: he thus preserved a more immediate influence over the Guelphs, over Florence, over Genoa, and the other cities which belonged to this faction. The Holy See had clothed Robert with the title of vicar imperial in Italy during the vacancy of the empire; and, when the emperors Henry VII. and Louis of Bavaria restored once more the Ghibeline party, Robert served as a

counterpoise. Joanna, his grand-daughter, married the king of Hungary, Andrew, whom she is accused of having murdered ; she herself died the victim of Charles Durazzo, who, fixing himself after her on the throne of Naples, transmitted it to his own children Ladislaus and Joanna II.

The exterior power of the Venetians rose or fell, their territories were extended or confined, according to the various success of their eternal wars with Hungary and Genoa. They took Smyrna and Treviso ; they lost a part of Dalmatia ; they made themselves masters of Verona, of Vicenza, and of Padua ; they possessed, but could not preserve Ferrara : but they maintained and consolidated the the aristocratical government which Gradenigo had given them, and punished the attempted alteration by Salieri. Liguria, on the contrary, harassed for ages by intestine changes, presented in the fourteenth century a spectacle fickle as ever : we behold her obeying in succession a captain, two captains, sometimes Genoese, sometimes foreigners ; a council of twelve, of twenty-four ; a mayor ; a doge : and, in the intervals of these ephemeral governments, receive or reject the yoke of the emperor, of the pope, of the king of France, or of the lord of Milan. This last title at this time belonged to the family of Visconti. From the thirteenth century, an archbishop of Milan, Otho Visconti, had become lord of this city, and had obtained for his nephew Matthew

the title of vicar imperial of Lombardy. Matthew, at the beginning of the fourteenth century, associated with himself his son Galeas. Overthrown by the Torriani, restored by Henry VII., and upheld by Louis of Bavaria, the Visconti resisted the pope, the king of Naples, the Florentines, and the whole Guelphic party. After the emperor Venceslas had bestowed on one of these Visconti, John Galeas, the title of Duke of Milan, they became powerful enough to defend themselves against the head of the empire himself. When Robert, the successor of Venceslas, wished to deprive them of the cities of which they had become masters, a decisive battle in 1401, confirmed their possession and retarded their fall.

The emperors of the fourteenth century were, Albert of Austria, whose yoke the Helvetians shook off; Henry VII. of Luxemburgh, who, during a reign of five years, began to shed some lustre on the imperial crown; Louis of Bavaria, the restless enemy of the popes; Charles IV. or of Luxemburgh, their creature; and his son Venceslas, a vindictive monarch, deposed in 1400. Robert belongs more properly to the fifteenth century.

Thus the Visconti, being substituted for the emperors in Italy, erected themselves into heads of the Ghibeline faction, at the same time that the Guelphic escaped from the popes, and submitted to the influence of the house of Philip the Fair, sovereign of

France and of Naples. The war continued between the two Italian factions, without any reference, of esteem or of interest, to their ancient chiefs ; the pope was as little regarded by the Guelphs, as the emperor by the Ghibelines ; even the latter were seen in arms against the emperor, Charles IV., when he suffered himself to be drawn by the pope into the Guelphic party ; and against Robert, when he had declared war against the Visconti. On their side, the Guelphs, whom the weakness of their chiefs, pontiffs, kings of France, or of Naples, abandoned to their own exertions, fought only for the independence of their cities or the general liberty of Italy. At the end of the fourteenth century, Guelphs and Ghibelines, animated by similar interests, tended towards the same end ; but it was undesigned ; they would have feared to perceive it ; and, when their ancient discord had no longer any motive, habit still continued to preserve it.

It results from this statement, that the court of Avignon had for rivals, Germany and France : Germany, which preserved till near 1350, the management of the Ghibeline faction ; France, which protected the popes only to rule over them, and which endeavoured to become master in Italy of the Guelphic one. It was requisite to temper, or elude by intrigue, the French influence, to repress by anathemas the imperial power, and, when Charles IV. devoted himself to the Holy See, to direct against the

Visconti, the thunders of the church. Such were, in Avignon, the cares of the supreme pastors of the flock of Jesus Christ. They taught little, and edified less ; they were temporal princes, and reign they would.

Benedict XI. the immediate successor of Boniface VIII. reigned but one year ; he had retired to Perugia, to withdraw from the domination of the lords and cardinals who pretended to the government of Rome ; the Colonnas, proscribed by his predecessor, entered it again. Out of Rome, Philip the Fair, aspired to the preponderance ; connected at first, with the Ghibeline party by the anathemas of Boniface, absolved subsequently by Benedict XI., he little dissembled his intention of ruling the Holy See. Benedict became uneasy in consequence, and directed enquiries to be made after the authors of the outrages which Boniface had experienced. An excommunication thundered against the Florentines, for a political interest of trifling importance, was perhaps the principal fault which Benedict XI. had time to commit : Italian authors have imputed, without proof, to Philip the Fair, the premature death of this pontiff.

After an interregnum of nearly a year, the election of Bertrand de Gotte, or Clement V. was the work of Philip the Fair, who had reason to complain of him : the monarch wished to select, from among his personal enemies, a pope who would be altogether

indebted to him for the tiara, and who would pledge himself to pay dearly for a benefit so little merited beforehand. Gotte made six promises to Philip, all of which were not redeemed by Clement V. For instance, this pontiff excused himself from condemning the memory of Boniface VIII.; and, when the empire became vacant by the decease of Albert I., the king of France, who canvassed for this place for a French prince, vainly counted on the services of the holy father: whilst seconding by a public letter the claims of this candidate, Clement transmitted to the electors a secret brief, in order to exclude him.⁽¹⁾ It is certain that there needed only this accession to assure to the house of France, already established at Naples, a universal preponderance, especially when Clement, despairing to reduce the Romans to a tranquil obedience, consented to fix at Avignon the pontifical court. Yet he served the king but too faithfully in the affair of the templars: inasmuch as sound policy required the suppression of this order, insomuch it was accordant, as it ever must be with justice and humanity, to dissuade from so many judicial assassinations.

When Clement V. cancelled a decision of Henry VII. against Robert, King of Naples; when he de-

(1) J. Villani. l. 8, c. 101—Pfeffel. abr. chr. Hist. of Germany, ann. 1308.—Velly's Hist. of France, vol. 7, p. 392, 396.

erect to the same Robert the title of Vicar of the empire, he erected himself expressly into a sovereign, and placed the emperor in the number of his vassals. "Thus we do, he says, as well in virtue of the indubitable supremacy which we hold over the Roman empire, as of the full power that Jesus Christ has given us, to provide for the sovereign's place during the vacancy of the imperial throne."⁽¹⁾ He maintained also that Ferrara belonged to the Holy See; and the Venetians having taken this place from the house of Este, he excommunicated them; declared the doge and all the citizens infamous, deprived of every right, incapable, they and their children, to the fourth generation, of all secular or ecclesiastical dignity.⁽²⁾

But these anathemas were no longer formidable. "The Italians," as a cardinal then observed, "no longer dreaded excommunications; the Florentines treated with contempt those of the cardinal bishop of Ostia, the Bolognese those of Cardinal Orsini, the Milanese those of the Cardinal Pellagruë: the spiritual sword terrifies them not, if the temporal one does not strike them."⁽³⁾ Clement V. also published a crusade against the Venetians: this very Cardinal Pellagruë led an

(1) Fleury's *Eccles. Hist.* l. 92, n. 8.

(2) Baluz. *Vit. Avenion.* vol. 1, p. 69,—Fleury's *Eccles. Hist.* l. 91, n. 33.

(3) Henrici. VII. *Iter, Ital.* vol. 9. *Rer. Italic.* p. 703.

army against them; they were defeated, driven from Ferrara, and absolved.

The decretals of Clement V. united to the decrees of the general council of Vienna, held in 1313, form a canonic code which is designated "The Clementines." The decretals of John XXII., the successor of Clement, are termed the "Extravagantes," that is to say, supplementary to the preceding codes; and the name of "Extravagantes communes" is applied to a collection of the statutes of many popes, whether anterior or posterior to John. Thus the canon law of the middle age is composed of, the decretals forged by Isidore in the eighth century, the decree by Gratian in the twelfth, the decretals of Gregory IX., compiled by Raymond de Pennafort, in the thirteenth, of the "Sexte of Boniface VIII., of the "Clementines," of the "Extravagantes" of John XXII., and of the "Extravagantes communes:" to which may be added the collections which comprize the bulls published by the popes of the latter ages. Such are the sources of the modern jurisprudence of the clergy: such the cause and the effect of the temporal power of the pontiff, and the unlimited extent of their spiritual authority: such the voluminous codes which have taken the place of the pure and simple rules of the primitive church; laws which, since the age of St. Louis to 1682, the Gallican Church has never ceased to re-assert.

A pontifical interregnum of two years, from Cle-

ment V. to John XXII., comprised the entire reign of the king of France, Louis X. or "le Hutin." His brother and successor Philip the Long, received from John XXII. a pedantic and high flown epistle,⁽¹⁾ which will suffice to shew what this second Avignon pope would have dared under different circumstances. He created bishopricks in France : in authorizing the divorce of Charles the Handsome, who repudiated Blanche of Burgundy, he conceived a hope that he could subject by degrees a government which sought compliances of him. But Philip de Valois, who perceived his ambitious designs, threatened to have him burned,⁽²⁾ and provoked a celebrated discussion on the bounds of the two powers. The king's advocate, Peter de Cugnieres, supported the rights of the civil power by arguments, not always of the best description, though much less wretched than those made by the prelates to perpetuate the abuse of the ecclesiastical jurisdiction. It is, say they, by the exercise of this jurisdiction that the clergy are enriched ; now the opulence of the clergy, the splendor of the bishops and archbishops is one of the prime interests of the king and of the kingdom. Philip de Valois, but little sensible to this interest, commanded that within the space of a year the abuses should be reformed,

(1) Baluz. Vit. Pap. Avenion. v. 1. p. 164—*Fleury's Eccles. Hist.* l. 82. p. 25,

(2) Brûler.—*Millot's Hist. of France*, v. 2, p. 84.

without the intervention of the Roman or Avignon court. This discussion had not adequate effects; but it was from it appeals as of abuse or error sprung, that is to say, appeals from ecclesiastical decisions to secular tribunals.⁽¹⁾

After the death of the emperor, Henry VII. Frederick the Handsome, duke of Austria, disputed the empire with Louis, duke of Bavaria, whose rights were established by victory. However, John XXII. cancelled the election of Louis; he maintained that it belonged to the sovereign pontiff, to examine and ratify the nomination of the emperors, and that, during the vacancy, the imperial government should immediately revert to the Holy See, from whence it emanated.⁽¹⁾ The pope reproached Louis with protecting the Visconti, excommunicated as heretics; their heresy, we have seen, was the supporting and directing the Ghibeline party. Louis resisted, he kept no bounds in the invectives with which he loaded John. While John was deposing the emperor, the emperor caused John to be deposed by the clergy, nobility, and citizens of Rome. A Franciscan took the name of Nicholas V., and seated himself on the pontifical throne; but the repentance and obedience of Nicholas, injured so materially the cause of Louis, that he consented to renounce the empire, when John died, leaving

(1) Villaret's Hist. of France, v. 8, p. 234-253.—Henault's Abr. Chron. of Hist. of France, ann. 1329, et 1330.

(2) Fleury's Eccles. Hist, l. 93, n. 4. 12.

twenty-five million of florins in his coffers. "This immense treasure, says Fleury, ⁽¹⁾ was amassed by his Holiness's industry, who, from the year 1319, established the reservation of the benefices of all the collegiate churches of Christendom, saying, that he did it in order to do away simony. Furthermore, in virtue of this reservation, the pope seldom or never confirms the election of any prelate : but he promotes an archbishop to a bishoprick, and puts an inferior bishop in his place ; whence, it often happens that an archbishop's see, or patriarchate, becoming vacant, produces six promotions or more, and a consequent flow of large sums of money into the apostolic treasury."

In 1338, Benedict XII. having refused to absolve Louis of Bavaria, the Diets of Rensee and of Frankfort declared, that ancient custom conferred the vicariate of the vacant empire on the count Palatine of the Rhine ; that the pretensions of the pope to replace the emperor during an interregnum were untenable ; that the pope had over the German empire no sort of superiority ; that it was not his province to regulate, nor confirm the elections of the emperors ; that the plurality of suffrages of the electoral college conferred the empire without the consent of the Holy See, and, that to assert the contrary would be a crime of high treason. The Germans gave to their decree, the name of " Pragmatic Sanction ;" and, at

(1) Eccles. Hist. l. 94. n. 39.

the same time, it was forbidden to pay any respect to the censures fulminated against the head of the empire, to receive bulls from Avignon, or keep up any correspondence with the pontifical court. ⁽¹⁾

Four years after the publication of this decree arose Clement VI. who demanded of the emperor a perpetual edict, in which the empire should be declared a fief of the Holy See, a benefice that none could possess without the authority of the sovereign pontiff. This Clement said, that none of his predecessors knew how to be a pope; Benedict XII. more modest, said to the cardinals his electors: You have elected an ass. ⁽²⁾

Clement renewed the anathemas of John XXII. against Louis of Bavaria; he added thereto more solemn imprecations: "May the divine wrath! he cried, may the vengeance of St. Peter, and St. Paul, fall upon Louis in this world, and in the next! may the earth swallow him up alive! may all the elements combine against him! and may his children famish before the eyes of their father, by the hands of his enemies!" But Clement, aware that cursing no longer availed, excited a civil war in the heart of Germany, leagued the nobles against Louis, deposed him anew, nominated a vicar of the empire in Lombardy, and caused to be elected emperor in 1346, the Margrave of Moravia, who took the name of Charles IV. Louis of Bavaria, every-

(1) Pfeffel ann. 1338.

(2) Fleury's Eccl. Hist. l. 94, n. 611.

where conqueror, died in 1347, and Clement VI. triumphed.

About this time a horrible plague ravaged Italy : the sovereign pontiff, who had founded great hopes on this scourge, watched the moment in which the petty princes of Italy, reduced to the last degree of weakness, and having no longer an army to oppose to his anathemas, would be brought to acknowledge and sue to the pontifical authority. To accelerate this event, and second the plague, Clement employed money, stratagem, and force, in order to conquer the insubordination of the cities and nobles of Romagna ; in particular, he menaced the Visconti, cited them before the consistory of cardinals, and summoned them to restore Bologna to the church ; but, when he heard speak of twelve thousand horse, and six thousand infantry, who were to make their appearance at the court of Avignon with the lords of Milan, he took the course of negociation with this powerful house, and for one hundred thousand florins, sold it the investiture of Bologna. Avignon he had purchased : Joan, queen of Naples, had ceded this place to him for eighty thousand florins, which, it is said, were never paid. But Clement declared Joan innocent of the murder of her first husband, Andrew ; he acknowledged the second ; he placed difficulties in the way of the projects of Louis, king of Hungary, who in order to avenge his brother Andrew was about to invade the kingdom of Naples. It was thus that

Clement VI. paid for Avignon; and, as this city was a fief of the empire, the sale was confirmed by Charles IV., who, indebted for his crown to the sovereign pontiff, could refuse him nothing.

This Pope died in 1352; the picture of his manners, has been drawn by Matteo Villani, a contemporary historian, whose expressions Fleury⁽¹⁾ thus translates and softens: "He kept up a regal establishment, had his tables magnificently served, a great train of knights and equerries, and a numerous stud of horses, which he often mounted for amusement. He took great pleasure in aggrandizing his relations; he purchased extensive lands in France for them, and made many of them cardinals; but some of them were too young, and of too scandalous a life. He also made some at the request of the king of France, who were many of them also too young. In these promotions, he had regard to neither learning nor virtue. He himself had a moderate share of learning; but his manners were gallant, and unbecoming an ecclesiastic.—When an archbishop, he preserved no restraint with women, but went further than the young nobles; and when pope, he neither knew how to refrain nor correct his conduct in this way. Great ladies, as well as prelates, visited his apartments; among others a Countess of Turenne, on whom

(1) *Eccles. Hist.* 1, 26, n. 13.

“ he conferred numerous favours. When he was sick, it was the ladies who waited on him, as female relations take care of seculars.”

A short time before his death, Clement received a letter written, they say, by the archbishop of Milan, John Visconti, and of which the following are lines : “ Leviathan, prince of darkness, to Pope Clement his vicar.....Your mother, the haughty, salutes you ; Avarice; Lewdness, and your four other sisters, thank you for your good will, which has caused them to thrive so well.”⁽¹⁾ It was during this pontificate that the Romans saw a man of low rank, Cola Rienzi, raise himself to a high degree of power. Deputed to Clement VI., to invite him to return to Rome, and not being able to prevail on him, Rienzi returned to plant the standard of liberty on the capitol, proclaimed himself tribune, and governed for several months the ancient capital of the universe.

The emperor Charles IV. had promised to renounce all claim of sovereignty over Rome and the ecclesiastical domains ; these were the conditions on which Clement VI. had raised him to the empire ; Charles kept his word. When in 1355 he resumed the imperial crown, he acknowledged the absolute independence of the temporal power of the popes, and swore never to put his foot in Rome, nor on

any spot belonging to the Holy See, without the permission of the holy father, annulling all the contrary acts of his predecessors, and obliging his successors, under penalty of deposition, to the maintenance of the engagement entered into by him. This is the first authenticated act which elevated the pope into a temporal sovereign, an independent monarch : till this period he had been but a vassal of the empire. Innocent VI., who reigned in 1355, profited by this event to enrich his family.⁽¹⁾

(1) Innocent VI. sent Philip de Cabassole into Germany, to raise the tenth penny on all the ecclesiastical revenues. The following were the complaints of the Germans at the news of this exaction : “ The Romans have always looked on Germany as a mine of gold, and have invented various ways of exhausting it. What does the pope give to this kingdom but letters and words ? Let him be master of all the benefices as far as the collation ; but let him relinquish their revenue to those who do the duty of them. We send money enough into Italy for various merchandize, and to Avignon for our children, who study there or stand for benefices, without mentioning their having to purchase them. None of you are ignorant, my lords, that every year large sums of money are taken from Germany to the pope’s court, for the confirmation of prelates, the obtaining of benefices, the prosecution of suits and appeals to the Holy See ; for dispensations, absolutions, indulgences, privileges, and other favours. At all times the archbishops confirmed the elections of their suffragan bishops. It is pope John XXII. alone who, in our time, has taken this right from them by violence. And yet this pope further demands of the clergy, a new and unheard of subsidy ; threatening with censures those who will not give it, or who oppose it. Check this evil in its out-

Charles IV., a prince as weak as he was ambitious, was commonly surnamed the emperor of the priests. "You have then," Petrarch writes to him, "you have promised with an oath never to return to Rome. What a shame for an emperor, that priests should have the power or rather the audacity to compel him to such a renunciation! What pride in a bishop to deprive a sovereign, the father of liberty, of liberty itself! And what opprobrium in him whom the universe should obey, to cease to be his own master, and obey his vassal!"

This Petrarch, who beheld too nearly the court of Avignon, compares it to "a labyrinth in which an imperious Minos casts into the fatal urn the lot of humanity, where bellows a rapacious Minotaur, where triumphs a lascivious Venus. There is no guide, no Ariadne; to chain the monster, to bribe his hideous porter, there is no means but gold. But gold there opens heaven, gold in that place buys Jesus Christ; and, in this impious Babylon, a future existence, immortality, the resurrection, the last judgment, are placed with Elysium, Acheron and the Styx, in the class of fables imposed upon the grossest credulity."⁽¹⁾

"set, and do not permit the establishment of this shameful servitude." Vita 2, Innoc. VI. apud Baluz. Vit. Pap. Avignon, v. 1. p. 360.

(1) Petrarc. Op. Epist. s. tit. 7. 8. 10. 11. 16.—Three sonnets against the Roman Court—Et, De Vita Solitar. 1. 2 s. 4. c. 3.

Although the weakness of the emperor Charles IV. had opened a new career to pontifical ambition, yet the return of some degree of light, and the perpetual commotions in the city of Rome, which kept Innocent VI. at Avignon, which compelled Urban V. to return to it,⁽¹⁾ and which would have sent Gregory XI. back, when he died ; finally, the schism with which this pope's death was followed ; all these causes concurred in depriving the Holy See of the fruits of the policy and enterprises of Clement VI.

In 1378, the cardinals, assembled to give a successor to Gregory XI. proclaimed Barthelemi Pregnano, who took the name of Urban VI., and they a few months after withdrew to Fondi, where they elected Robert of Geneva, or Clement VII. : they pretended that the election of Urban was but a formality to appease the fury of a people which wished to control their choice. Clement was installed in Avignon : France, Spain, Scotland and Sicily acknowledged him : the rest of Europe supported Urban, who resided at Rome, and published in England a crusade against France. Urban died in 1389, and the cardinals of his party supplied his

(1) Urban V. when dying, expressed these words : " I firmly believe all that the Holy Catholic Church holds and teaches ; and if I ever advanced doctrines contrary to the church I retract and subject them to its censure." Here is one pope, says Fleury, who did not think himself infallible.—*Eccles. Hist.* l. 97, n. 18.

place by Peter Tomacelli or Boniface IX. On the other hand, Clement being deceased in 1394, the French cardinals raised to the pontificate Peter de Lune, a Spaniard, who was called Benedict XIII. Modes of reconciliation were proposed from all quarters ; France especially evinced her anxiety to extinguish the schism : but neither of the pontiffs would listen to relinquishing the tiara ; and the spiritual arms directed by each pope against the other became harmless in their hands. What one did against the supporters of the other ; what dangers they encountered ; what cardinals, what kings, what cities, they excommunicated ; how many threats, how many bulls, how many censures they published, we will not undertake to relate here : we shall only remark, that the Church of France, after useless efforts to re-establish concord, ended by withdrawing, in the year 1298, from obedience to either one or the other pontiff. “ We,” says Charles VI., “ supported by
 “ the princes of our blood, and by many others, and
 “ with us the church of our kingdom, as well the
 “ clergy as the people, we, altogether withdraw from
 “ obedience to Pope Benedict XIII. as from that of
 “ his adversary. We desire that henceforth no
 “ person pay to Benedict, his collectors, or other
 “ officers, any ecclesiastical revenues or emoluments :
 “ and we strictly forbid all our subjects from obeying
 “ him or his officers in any matter whatever.” Vil-

"laret⁽¹⁾ adds, that Benedict having caused a report to be spread, that the French were desirous to withdraw from obedience to him in order to substitute a pope of their own nation, the king to do away such suspicions, declared, in his letters, that any pope would be agreeable to him, whether African, Arab or Indian, provided he did not dishonour by his passions the chair of St. Peter.

The French profited by these events to repress the exactions of the pontifical court. The churches were restored the right of freely electing their prelates, and collators the disposal of other benefices. Boniface IX. had perfected the art of enriching the Holy See; he had, as Fleury observed,⁽²⁾ doubly need of money, for himself, and, to support Ladislaus at Naples against the house of Anjou. We may read in Fleury,⁽³⁾ how the clergy, who possessed benefices at Rome, paid for the favour of being examined; how Boniface in the second and third year of his pontificate, dated as of the first the bulls for benefices; how he exacted compensation for this antedate; how he extended to prelacies the right of first fruits, that is, the reservation of the revenue of each benefice for the first year; how he kept couriers throughout Italy, to be apprised, without delay, of the sickness or death of prelates or other dignita-

(1) Hist. of France, vol. xii. p. 270, 271.

(2) Eccles. Hist. l. 99. n. 26.

(3) Ibid. n. 26, 27, 28.

ries, and in order to sell twice, or thrice, the same abbey or church ; how, by clauses of preference, he revoked the reservation, and the survivorship, the price of which he had received : how he would even annul the preferences which paid a higher price ; how in fine, this traffick, combining with the plague, and the consequent rapid mortality of the incumbents, brought into the treasury of the apostolic see, the innumerable contributions of all those who obtained, hoped for, or coveted, a rich or a poor ecclesiastical benefice.

It was, without doubt, impossible but that these scandalous abuses, multiplied and extended through the lapse of time from Hildebrand to Boniface IX. and Benedict XIII., should excite the indignation of upright minds and honest hearts. The French, much more christianized in the fourteenth century than the people of Italy or Germany, evinced, by this alone, more zeal in repressing the irregularities and excesses of the clergy. They had seconded Philip the Fair against Boniface VIII. ; under Philip of Valois, Peter de Cugnieres had expressed their honourable wishes ; and more than twenty years before their renunciation of Benedict XIII. as of Boniface IX. they had, under Charles V. enquired into the limits of ecclesiastical authority. A monument of this discussion has been preserved to us under the title of "The Verger's dream, or Disputation be-

tween the clerk and the squire :” (1) a work the author of which is not well known; but which we would attribute to John de Lignano, or to Charles de Louvieres, rather than to any other. The clerk in it claims for the successor of St. Peter, the title of Vicar-General of Jesus Christ upon earth.— The squire distinguishes two eras in our Saviour’s history, one of preaching and humility before his death, the other of power and of glory after his resurrection. St. Peter, according to the squire, and the pope as well as St. Peter, can represent but the poor and the modest Jesus, preaching the gospel, and affecting over thrones and temporal things, no sort of pretension, acknowledging that his kingdom is not of this world, submitting himself to the civil power, and, in fine, rendering to Cesar, that which to Cesar belongs.

(1) “ The Verger’s dream,” one of the most ancient monuments of French literature and of the liberties of the Gallican Church, occupies the half of a folio volume, in the collection of proofs of, and treatises on these liberties.

CHAPTER VIII.

FIFTEENTH CENTURY.

FOUR great councils were held in the fifteenth century, all previous to the year 1450.

The council of Pisa in 1409 : it is not revered as an œcumenical one ; it nevertheless, in deposing Gregory XII. and Benedict XIII. elected Alexander III. to their place. This act did not extinguish the schism ; on the contrary it occasioned at once three popes.

The council of Constance in 1414 : this had greater authority ; it caused John Huss and Jerome of Prague to be burned ; further, it declared the superiority of general councils over the popes ; a doctrine always disapproved of at Rome, and to which Martin V. did not adhere, though elected by this very council of Constance. But the church had no longer more than two heads, Martin V. and the obstinate Benedict XIII. Gregory XII. sent in his resignation ; and John XXIII. the successor of Alexander V. was thrown into prison, from whence he did not come out until he had acknowledged Martin V. There is no vice, no crime, which

contemporary historians and the council of Constance do not reproach John XXIII. with. An act of accusation prepared against him, presented, they say, a complete catalogue of every mortal crime.⁽¹⁾ They assert that he had seduced three hundred nuns;⁽²⁾ according to Theodoric de Nieve⁽³⁾ he kept at Bologna two hundred mistresses. These exaggerations discover calumny; and the friendship and hospitality with which the Florentines, especially the Medicis, a family at this period distinguished, honoured a pontiff so weakly established, would suffice to refute or weaken the accusations with which his enemies and his misfortunes have loaded his memory. The weakness of his character stimulated the insults of his rivals, and his disgraces those of the historian. Stripped of his states by Ladislaus, king of Naples, betrayed by Frederick, duke of Austria, hunted by the emperor Sigismund, John used too liberally the sole resources which remained to him, simony and usury; he brought to perfection, even after Boniface IX. the traffic in benefices,⁽⁴⁾ and we read⁽⁵⁾ that a note for one thousand florins would be passed him where he lent eight hundred for four months.

(1) Theodor. de Niem. ap. Vonder Hart. vol. ii. p. 389.

(2) L'Enfant's Hist. of Coun. of Constance, l. 2, p. 184.

(3) Invect. in Joann. l. 23. p. 6.

(4) Fleury's Eccles. Hist. l. 103, n. 45.

(5) Theodor. Niem. Invect. p. 8.

The council of Basle in 1431 : theologians declare it œcumenical to its twenty-fifth session only ; it held forty-five. This council also humbled a good deal the papal authority ; and its decrees on this head, as well as those of Constance, served to prepare in France the celebrated pragmatic sanction, to which we shall revert by and by. The fathers of Basle deposed Eugene IV., the successor of Martin V., describing the said Eugene as a disturber, a heretic, and a schismatic. Eugene excommunicated this third council, and held a fourth at Florence in 1459. In it the reconciliation of the Greeks was treated of : John Paleologus, emperor of the East, was at it, endeavouring to confirm by this re-union the throne upon which he tottered ; but the priests of Constantinople persisted in the schism.

Louis III. of Anjou, had disputed the throne of Naples with Joan II., daughter of Charles Durazzo. Delivered from Louis by Alphonso V. king of Arragon, Joan adopted the Arragonese monarch, and her liberator was to become her heir. Subsequently some misunderstanding between Alphonso and Joan determined her to revert to Louis of Anjou, and to revoke in his favour the act of adoption obtained by Alphonso. Joan and Louis died : and, two competitors present themselves to reign over Naples, Alphonso and Reni, the brothers of Louis. Pope Eugene declares for Alphonso, precisely because Reni, more acceptable to the Neapolitans,

and to Italy generally, would have been too formidable a neighbour for the Holy See. This is the principal affair purely political in which the pontiff concerned himself. He however obliged Uladislaus, king of Poland and Hungary, to break a peace with the Turks, sworn to on the Evangelists and on the Koran. A rupture fatal as it was perfidious, and which drew after it, in 1444 near Varne, the defeat and death of Uladislaus.

Eugene retained to his death the title of pope, although the council of Basle had conferred it on the duke of Savoy, Amadeus VIII. whose papal name was Felix V. This duke afterwards abdicated the tiara, and the church had at last but one head Nicholas V., the successor of Eugene; Nicholas, a pacific prelate, the friend of literature, and founder of the Vatican library, and one of the most generous protectors of the learned Greeks, who took refuge in Italy after Mahomet II. had taken Constantinople in 1446.

We have seen that during the first half of the fifteenth century, the priesthood, divided, had no means of very seriously threatening great empires. This opportunity ought to have been seized on for effecting those reformatations, provoked by the corruptions which the false decretals had produced in the ecclesiastical discipline.

The ancient rules left to the clergy, to the people, and to the sovereign, an active part in the election of

bishops, and the new law reserved to the pope the institution of the incumbents. Excommunications, formerly rare and confined to matters altogether spiritual, were multiplied after the tenth century against emperors and kings, whose power they shook. The popes of the eight first centuries never thought of enacting tributes from the newly elected bishops ; now, the pope demands first fruits of them. Before the decretals, the ecclesiastics were in civil and criminal cases amenable to the secular tribunals : after the decretals, the pope wished to become, in all sorts of causes, the supreme judge of every member of the priesthood. In fine, dispensations, pardons, reservations and reversions. and appeals to the Holy See, were perpetual ; the abuses, become excessive, wearied France in an especial manner.

After having withdrawn, as we have said, from obedience to both the candidates for the papacy, the Gallican church began to regulate itself agreeable to the primitive laws, and received with transport the decrees of the councils of Constance and Basle, which limited the power of the pope and subjected it to that of the united church. The council of Basle, when Eugene IV. had quitted it, sent its decrees to the king of France, Charles VII. who communicated them to the great nobles of his kingdom, secular as well as ecclesiastical, met together for this purpose in the holy chapel of Bourges. The decrees of Basle and of Constance, approved and modified by this assembly, formed the pragmatic sanction, which was read and

proclaimed as the king's edict, in the parliament of Paris, the 3d of July, 1439. It is determined by this edict, that general councils ought to be held every ten years, that their authority is superior to that of the pope, that the number of cardinals should be reduced to twenty-four, that the presentation to ecclesiastical benefices should be perfectly free, that the first fruits should no longer be demanded, and that neither reservations or reversions should be recognised. ⁽¹⁾ All orders of the state received this "pragmatic" with enthusiasm; and the whole course of history attests how dear it was to the French.

In Italy the schism had gradually produced a revolution in their political views. Under doubtful and rival demi-popes; under the feeble influence of the emperors Robert, Sigismund, Robert II. Frederick III. the Guelph and Ghibeline factions become almost extinct either from want of heads or of standards, or lassitude consequent on four or five centuries of madness and misfortune. The Visconti, become the chiefs of the Ghibelines, sunk and disappointed, re-

(1) We must observe, said the president Henault, that in 1441 the king issued a declaration respecting the pragmatic sanction, implying that his design and that of the assembly at Bourges, was, that the arrangement made between Eugene IV. and his ambassadors should take effect from the day of the date of this pragmatic, without any regard to the date of the Basle decree, issued before the date of the pragmatic; and from this it is concluded, that the decrees of general councils, as respects discipline, have no force in France until after they have received authority from the edicts of our kings. → *Ab. Chron. of Hist. of France, ann. 1438.*

placed by the Sforza, a family just hatched and destined to combat for interests new as itself. The Medicis, less recent, laboured to calm the commotions which agitated Florence, and indulged the hope of seeing liberty, laws, and literature flourish, in the loveliest country they could make their abode.— Impelled also by the idea of their advances in the fine arts, other cities of Italy aspired to free themselves altogether from the German yoke, and to exercise an habitual influence over the people they had outstripped in civilization. This national pride it was which reconciled them secretly to the papacy, disposed them to consider it as the centre of Italian power, and to mourn over the ancient splendour of this once dreaded focus. The middle of the fifteenth century, is the true era in which was confirmed, and propagated in Italy, the doctrine elsewhere denominated ultramontane, a doctrine which has since been but the mask of the political interests of this nation, well or ill understood by her. Since then, the Italians have generally abstained from seconding the resistance that the English, the Germans, the French, have not ceased to oppose to the pretensions of the Roman pontiff, to his worldly ambition, and abuse of his spiritual ministry. Already, in the councils of Constance and Basle, the Italian prelates were in general remarked⁽¹⁾ for the lukewarmness of their zeal in the reformation of ecclesiastical irregularities. Ter-

(1) Bossuet. *Def. Declar. Cl. Gallic.*

rified no doubt, by the rash boldness of Wickliffe and many other innovators, they did not perceive that propriety of manners and wise laws would be the most certain security against alterations in doctrine; or rather, the preservation of the faith was not what they most sincerely desired to secure. Behold then, in what disposition the successors of Nicholas V., found the clergy, the learned, the rulers, and consequently the people of Italy; and such were the points of support on which the pontifical levers went to work, in order to put it under way once more.

Six popes, after Nicholas V, governed the church during the second half of the fifteenth century: Calixtus III, from 1445 to 1458; Pius II. to 1464; Paul II. to 1471; Sixtus IV. to 1484; Innocent VIII. to 1492; and Alexander IV. for the following years.

Calixtus III. who vainly preached a crusade against the Turks established at Constantinople, shewed much more zeal still for the particular interests of his family. This pope had three nephews: he raised two of them to the cardinalat, which they disgraced by the open irregularity of their conduct. He heaped secular dignities on the head of the third: he made him duke of Spoleto, and general of the troops of the Holy See; he was desirous of making king of Naples, and thus terminate the rivalry existing between Ferdinand, the son of Alphonso,

John, the son of Rene, and other candidates, whose object this kingdom was. Calixtus endeavoured to arm the Milanese against Ferdinand, and forbade this prince on pain of excommunication from taking the title of king : but Calixtus reigned only three years, and his ambitious intentions had no durable consequence.

After him came Pius II., who before, under the name of Eneas Sylvius, was an author sufficiently distinguished : he had also been secretary to the council of Basle, and as such a zealous partisan of the supremacy of councils ; but finally, when pope, an ardent defender of the omnipotence of the Holy See. He even formally retracted all that he had written at the dictation of the council ; and, by an express bull, Pius II. condemns Eneas Sylvius.⁽¹⁾ His bull ‘*Execrabilis*,’ anathematizes appeals to general councils, to one of which France appealed on this very bull. Charles VII. still reigned ; he maintained the pragmatic sanction ; and observe in what terms the attorney general Douvet protests against this bull : “ Since our holy father the pope, to whom all power has been given for the building up of the church and not for its destruction, wishes to

(1) “ Never did individual,” says Mezerai, “ labour more to reduce the power of the popes within the limits of the canons than Eneas Sylvius ; and never did pope endeavour more to extend it beyond the bounds of right and of reason, than the same man when he became Pius II.—*Abr. Chron.* vol. i. pt. 2, p. 436.

“ disturb and insult our lord the king, the ecclesi-
 “ astics of the kingdom, and even his secular sub-
 “ jects, I, John Douvet, attorney general of his
 “ Majesty, do protest such judgments or censures to
 “ be null, according to the decrees of the sacred
 “ canons, which declare void, in many cases, this
 “ sort of decisions; submitting, nevertheless, all
 “ things to the judgment of a general council, to
 “ which our very christian king purposes to have
 “ recourse, and to which I, in his name, appeal.”⁽¹⁾

But Louis XI. succeeded Charles in 1461, and
 repealed the ‘ pragmatic,’ yielding to the solicitations
 of Pius, who wept for joy at it, ordained public
 festivals, and caused the act of the assembly at
 Bourges to be dragged through the puddle of Rome.
 Louis had affixed two stipulations to his compliance;
 one, that the pope should favour John of Anjou and
 proclaim him king of Naples; the other, that a legate,
 a Frenchman by birth, should be appointed to invest
 the incumbents in France. Pius, who had made both
 these promises, fulfilled neither; but he composed
 verses in honour of the king, and sent him a sword,
 ornamented with diamonds, to fight Mahomet II.—
 Louis highly irritated, directed the parliament secret-
 ly to oppose the edict which rescinded the pragma-
 tic. This opposition it was not difficult to secure, it

(2) *Proofs of the Liberty of the Gallican Church*, vol. i. p. 2,
 pa. 40.

was sufficient not to thwart it : the parliament embraced so rare an opportunity of testifying their obedience, by refusing to obey. Louis XI. armed not against the Turks ; but while Pius II. thus stimulated the kings of Europe to combat the new masters of Constantinople, let us see what the holy father writes to Mahomet II. himself : “ Do you wish to become the most powerful of mortals ? “ What prevents your becoming so to-morrow ? a “ mere trifle certainly, what may be found without “ the seeking, some drops of baptismal water. “ Prince, but a little water, and we will declare you “ emperor of the Greeks and of the East, of the “ West also, if need be. In former times, freed “ from Astolphus and Didier, by the good offices of “ Pepin and of Charlemagne, our predecessors “ Stephen, Adrian, and Leo, crowned their liber- “ ators. Do you act like Charlemagne and Pepin, “ and we shall do as Leo, Adrian and Stephen.”⁽¹⁾ These are plain terms, we see, and disguise nothing of the pontifical policy.

To Pius II. succeeded Barbo, a Venetian, so

(1) *Pii secundi pontificis maximi, ad illustrem Mahumetem Turcarum imperatorem, epistola.* Tarvisii, Garard de Flaudria. 1476, in 4to. We read in fol. 4 and 5 : “ *Parva res omnium qui hodie vivunt, maximum et potentissimum et clarissimum te reddere potest. Quæris quid sit ? Non est inventus difficilis neque procul quærenda ; ubique gentium reperitur : id est, aquæ parexillium quo baptizeris. Id si feceris, non erit in orbe princeps qui te gloriâ superet aut*

handsome and so vain, that he was tempted to assume the name of Formosa.⁽¹⁾ he contented himself with that of Paul II. His efforts to league the Christian sovereigns against the Turks, and to have the abrogation of the pragmatic registered by the parliament of Paris, were equally unsuccessful; other interests occupied the former, and the parliament of Paris was obstinate. In vain Cardinal Balne obtained from Louis the deprivation of the solicitor general John de Saint Romain: the university united with the magistrates in an appeal to a future council. In the mean time letters are discovered which prove to Louis that he is betrayed by Balne. The cardinal is already cast into prison; but Paul pretends to be the sole legitimate judge of a prince of the church, and Balne, after a long detention in an iron cage, is finally liberated.

Paul also vainly endeavoured to make himself master of Rimini: in vain he armed the Venetians against Robert Malatesti who occupied this place:

"æquare potentiâ valeat. Nos te Græcorum et Orientis imperatorem appellabimus.....Et sicut nostri antecessores, Stephanus, Adrianus, Leo, adversus Haistulphum et Desiderium, gentes Longobardæ reges, Pipinum et Karolum Magnum accersiverunt, et liberati de manu tyrannicâ, imperium à Græcis ad ipsos liberatores transtulerunt, ita et nos in ecclesiæ necessitatibus patrocinio tuo uteramur, et vicem redderemus beneficii accepti."

(1) Art of verifying Dates, vol. i, p. 337.—'Formosus' implies 'handsome.'

Robert, aided by the Medicis, opposed a formidable army to the Venetians, and which, under the command of the Duke d'Urbino, put that of the pope to flight.⁽¹⁾ His holiness received such conditions as his conquerors dictated; he loaded the Medicis with invectives, and no longer made war but with men of letters;⁽²⁾ he condemned many of these to horrible tortures to extort from them the avowal of heresies which they never professed; and when their constancy in refusing to make false confessions, when all the evidence, all the witnesses proclaimed their innocence, the holy father declared they could not leave their dungeons until they had completed in them an entire year, having at the time of their arrest made a vow not to release them before the expiration of this term. Platina, one of Paul's victims, has compiled a history of the popes in which this pontiff is not spared: Platina is doubtlessly here a suspicious testimony; but as the reverend Benedictine fathers judiciously observe, "his relation is supported by the evidence of James Piccolomini, cardinal bishop of Pavia, a respectable writer, who, both in his commentaries, in the letter he wrote to Paul himself a short time after his exaltation, and in that addressed to the

(1) Muratori's *Annals of Italy*, vol. ix. p. 508.

(2) *Art of verifying Dates*, vol. i. p. 377.

“ cardinals who had elected him, draws a very unfavourable portrait of this pope.”

Two nephews, invested the one with the duchy of Sora, the other with the county of Imola; an expedition fruitless against the Mahometans; alternate alliances and enmities with the Venetians; disturbances encouraged in Ferrara, Florence and Naples; arms, stratagems, and anathemas, in turn assayed against the enemies of the Holy See: these several details of the history of Sixtus IV. would possess greater interest if the conspiracy of the Pazzi did not absorb all the attention this pontificate can claim.

The Medici had offended Sixtus IV. by some shew of resistance to the elevation of his nephews, and to the nomination of the archbishop of Pisa, Salviati. Their power, so much the more imposing as it was then connected with the most honourable renown, restrained and wearied the pontiff, who aspired to become master of Florence and the North of Italy. One of the first cares of Sixtus was, to deprive the family of the Medicis of the situation of treasurer of the Holy See, in order to give it to that of the Pazzi. Till this period, no jealousy was manifested between these two illustrious houses, united on the contrary by alliances and by mutual services. The Florentine authors exhaust in vain their investigations to discover motives or pretexts for the enmity of the Pazzi to the Medici. To

represent the latter as tyrants, the conspirators as liberators, is at once to oppose sound morality and contemporary history. No, it is impossible to imagine any other causes here than the instigations of the court of Rome, and the hope presented to the Pazzi, of invading under the protection of the Holy See, the government of Florence, if they were willing to become, not the rivals of the Medicis, but their assassins. To the Pazzi were joined the Count Riaccio, nephew of the pope, the cardinal Riaccio, nephew of the Count, the archbishop of Pisa, a brother of this prelate; one Bandini, known by the excess of his debaucheries; Montesecco, one of Sixtus's 'condottieri,' with other robbers and priests. It was arranged to poignard Lorenzo and Giulio de Medici, on Sunday, the 26th of April, in the church, in the middle of Mass, at the moment of the elevation of the host. These circumstances, which added to the crime the character of sacrilege, terrified the conscience of Montesecco,⁽¹⁾ who had received, as the best skilled of them all at assassination, the commission to strike Lorenzo; two ecclesiastics took the office on them. But they acquitted themselves with less skill than zeal; and Lorenzo, only wounded, escaped from their hands, while Giulio expired under the blows of Bandini

(1) He said, his courage would never support him in committing such a crime in a church, and adding to his treason sacrilege.—*Machiavelli's History of Florence*, l. 8.

and Francisco Pazzi. The death of Giulio was instantly revenged: the traitors were seized, and exterminated by the populace. The archbishop of Pisa was seen when hanged by the side of Francisco Pazzi, biting in his agony the carcase of his companion. Montesecco revealed at the foot of the scaffold the dark clues and sacred origin of the conspiracy. Bandini, after having fled to Constantinople, was sent back by Mahomet II. to Florence, where he was executed: a sultan would not afford an asylum to an assassin that a pope did not blush to arm; and while Lorenzo, scarcely recovered from his wounds, endeavoured to repress the popular indignation, even while he saves the Cardinal Riario, what does Sixtus do? As if his being an accomplice was not sufficiently exposed by Montesecco, was not abundantly demonstrated by the circumstances themselves, he proclaims it himself by the excommunication of Lorenzo de Medicis and the Florentines. He terms Lorenzo and the magistrates, children of perdition, suckers of iniquity: he declares them and their successors born or to be born, incapable of receiving or transmitting any property by will or inheritance; he summons the Florentines to deliver Lorenzo up to him; and, when he can no longer hope for so unprincipled a treason, he raises troops against Florence; he arms some Neapolitans; at any price he is desirous to consummate the crime, of which the Pazzi suc-

ceeded in effecting but the half. In the mean time Italy, Germany, and France, interested themselves for the Medicis; Louis XI. himself declares that he will restore the 'pragmatic,' if the pope does not revoke his anathemas: but the descent of the Turks at Otranto was requisite, and that the fears and the forces of the courts of Naples and of Rome should have to turn their attention to this point, before the pontiff would pardon the victim who had escaped his thunders and his poignards.⁽¹⁾

Sixtus, to associate the court of Naples in his vengeance, had abolished a quit rent which it paid to the Court of Rome. Innocent VIII. designed its re-establishment, as necessary to the undertakings he meditated against the Mussulmans. Upon the refusal of king Ferdinand, the pope encouraged the Neapolitan barons to revolt, partisans of the Duke of Calabria, and little attached to the house of Arragon. He promised, and sent them troops; he excommunicated the king, deposed him, and called the king of France, Charles VIII. into Italy: but, indolent and unskilful, Innocent merited no success; and the eight

(1) Ang. Politian. *De Hist. conjurat. Pactianæ comment.*—Don Bossi, *chron. ann. 1478.*—Machiav. *Hist. of Flor. l. 8.*—Ammir. *Hist. Flor. vol. iii. p. 118, &c.*—Valori, *Vita Laurent. Med.*—Fabr. *Vit. ejusdem.*—Muratori's *Annals of Italy, years 1478, 1479, &c.*

years of his pontificate have left behind but trifling mementos.

Of Alexander VI. the private life is well known ; the nature of our subject will excuse us from pursuing the details which compose it, of, robbery, perjury, revellings, sacrilege, obscenity, incest, poisoning, and assassination. Our business is with his politics not his manners. He persuaded Charles VIII. to pass into Italy, for the purpose of conquering Naples ; and, while Charles was preparing for it, Alexander entered into negotiations with every court, even that of the Sultan, to raise up enemies to France. His writing to Bajazet II. that Charles menaced Naples but in order to fall on the Ottoman empire ; his delivering Prince Zizim, the brother of Bajazet, to Charles, by order of the Sultan, but delivering him up poisoned, and receiving from the latter the price of his crime : such were, in his political career, the feats of Alexander VI. Yet this did not prevent his holiness from concluding a treaty of alliance with Charles, and almost immediately after leaguings with the Venetians and the Emperor Maximilian against the same Charles, whose greatest error was, opposing the designs of eighteen cardinals who, already wearied with the excesses of Alexander, resolved to depose him.

The pope had a daughter named Lucretia, and four sons, of whom one named Geoffrey remains almost unknown ; another obtained from the King of

Naples the title of Squillace ; another became celebrated under the name of Cesar Borgia ; and the eldest was Duke of Gandia and Beneventum. To advance Cesar, who was only a cardinal, Charles VIII. was promised support in a second expedition of the French into Italy : Charles died before it could be undertaken, and Frederick, king of Naples, was then resorted to. This prince was required to give his daughter in marriage to Cesar, who should be created prince of Tarentum : Frederick having rejected this proposal, it was necessary to recur a third time to the French, then governed by Louis XII.

Cesar arrived in France : he took with him a bull which authorised Louis to part with his first wife ; and he instigated him to conquer Naples and Milan : Naples, which from the time of Charles of Anjou, had not ceased to belong to a French prince ; Milan, where Louis was to recover the rights he derived from Valentine Visconti, his grandmother : and, to prevent his being over-ruled by wiser counsels, his minister, cardinal Amboise, was seduced with the hope of being one day the successor of Alexander VI. Behold here, how the best of kings, having become the ally of the most perfidious of pontiffs, engages in a dangerous war, in which the treacheries of Rome snatch from the French the fruits of their victories. But the Cardinal Cesar becomes Duke of Valentino ; the family of Borgia triumphs over its enemies, and enriches itself with

their spoils ; in fine, Alexander VI. became the first potentate in Europe, when a drug which he had prepared for others terminated, by a happy mistake, his abominable pontificate.

This pope and his predecessors, since Calixtus, have been much reproached with their nepotism, or zeal for the elevation of their nephews, their children, and their relations. Certainly we do not mean to justify this abuse of the apostolate, this triumph of the interests of individuals over those of the religion of Jesus Christ ; but, in order to clear up as far we are able, by general observations, a history, the details of which we could not embrace here, we may say that Nepotism was a weakening, a degradation of the political ambition ; that the papacy, regarded as a means of enriching and aggrandizing families, became, by these means alone, less formidable to sovereigns : and, that after the extinction of the schism from 1450 to 1500, the civil authority had suffered much more frequent attacks, if these domestic cares, these family interests, had not so often diverted the popes from the vast undertakings necessary to restore the importance of the Holy See. Sedulous to humble kings, Innocent III. and Gregory VII. did not busy themselves in elevating particular families : they sought to exercise themselves, and transmit to their successors, a universal supremacy. Many circumstances, which we have pointed out, would have favoured, at the middle of the fifteenth century, the

re-establishment of this enormous power, if the popes had united the austere and disinterested enthusiasm of Hildebrand, to the knowledge which must have been possessed by the contemporaries of Politiano, and almost of Machiavel. It was not that Pius II. wanted sense, nor Paul II. wickedness, nor Sixtus IV. perfidy, nor Borgia any vice ; but it is not sufficient to be unprincipled, a pope must know also how to turn to account the errors of others and his own crimes.

CHAPTER VII.

POLICY OF THE POPES OF THE SIXTEENTH CENTURY.

OF all the periods of modern history, the sixteenth is the fullest of tempests, of revolutions, and of important events. It shines with the bright lustre of Italian literature ; but, it is tinged with all the blood which fanaticism could shed in the lapse of an hundred years. Each of the eras which divides the duration of this age, is itself a memorable event ; the league of Cambray in 1508 ; the concordat of Leo X. and Francis I. in 1515 : the conquest of Egypt by the Turks, new expeditions to the two Indies, the English schism, and the establishment of the Jesuits, in 1540 ; the abdication of Charles V. and the accession of Elizabeth in 1558 ; the council of Trent from 1545 to 1563, and, the encrease of heresies, the Batavian confederation, the excesses of Philip II. and St. Bartholomew's-day in 1572 ; the league, the assassination of Henry III. by James Clement, in 1589 ; the victories of Henry IV. his recantation, and the edict of Nantz, in 1598. Fifteen popes dur-

ing these tragical events governed the church, almost all of them of distinguished talents, and some of an energetic character: but the remembrance of the Avignon schism, the permanent scandal of nepotism, the invention of printing, the discovery of a new world, the general advancement of knowledge, the exertions of Luther and Calvin, the influence of their doctrines, and propagation of their errors; so many obstacles were opposed to the progress of the pontifical power, that it required extreme dexterity in the bishops of Rome to retard its decline.

After the concessions made by the emperor, Charles IV. in 1355,⁽¹⁾ the German Sovereigns had lost their ancient preponderance in Italy; and the French, in carrying their arms into it, had obtained a considerable influence, which was much less opposed by the popes than by the Venetians, the princes of Arragon, and the powerful families that ruled Florence and Milan. Pope Julius II. nephew of Sixtus IV. resolved to enfranchise Italy, that is, to subject it to the court of Rome, to expel foreigners, to sow divisions among the rivals of the Holy See, and to take advantage of them in order to re-assume in Europe that supremacy before aspired to by Gregory VII. and exercised by Innocent III. Gregory VII. Innocent III. and Julius II., among so many popes, are the three most violent enemies of kings.

After the death of Alexander VI, and during the

(1) See page 219.

twenty-seven days of the pontificate of Pius III. the Venetians had regained important places taken from their republic at the end of the fifteenth century : they occupied a part of Romagna ; Cesar Borgia had secured the other, as well as many cities of the March of Ancona, and of the Duchy of Urbino ; the Baglioni possessed Perugia ; the Bentivoglio, Bologna : divers portions of the pontifical domains were then to be recovered. Julius succeeded in despoiling Borgia, the Bentivoglio, the Baglioni : but, to subdue the Venetians, he concluded against them with the king of France, the emperor, and the king of Arragon, the famous league of Cambray.— But, soon after, the advancement of Louis XII. rendered him uneasy : he feared to allow that of the emperor ; he hastens to enter into a secret negotiation with the Venetians, and promises them, provided they restore Faenza and Rimini, to join them in repelling the ‘barbarians’ ; it is thus he calls the French, the Spaniards, and Germans. The Venetians, who rejected these offers, were excommunicated, defeated, and absolved by submitting to the pope. Then Julius leagued, in fact, with the Venetians against the French ; he puts on the cuirass, lays siege to, in person, and takes Mirandola. Vanquished by Trivulzio, general of the French, he excommunicates Louis XII. lays France under an interdict, and endeavours to arm England against her. Apostolic legates labour to corrupt the French soldiers : the title of defenders of the Holy See rewards the ra-

vages of the Swiss ; the Genoese are excited to revolt ; the states of John d'Albret, king of Navarre, the ally of Louis XII. are delivered over by the Roman court to the first occupier. ⁽¹⁾ To crush France, overthrow Florence, such were the designs of Julius when he died in 1513, the tenth year of his pontifi-

(1) " About this time, 1512, says Flecher, pope Julius piqued
 " against France and her allies, abusing the power which God
 " had given him, and making religion subservient to his own
 " particular passions, went to such lengths as to excommunicate
 " kings and strip them of their kingdoms. The greatness of Louis
 " XII. secured him from these exactions, and France, support-
 " ed by her internal force, feared neither the violence of the
 " pope, nor the ambition of those who would have taken ad-
 " vantage of it to attack this crown. The evil fell on John
 " d'Albret, king of Navarre, who, not being sufficiently provi-
 " dent to secure himself from surprise, nor powerful enough
 " to defend himself against an armed neighbour, watchful of
 " every opportunity to aggrandize his kingdom, had been ex-
 " communicated because he had united with the king of France,
 " and was finally driven from his states, under the pretence
 " that he had contributed to the convocation and continuance
 " of the council held at Pisa against the Holy See. Ferdi-
 " nand, in virtue of this bull of excommunication, which it is
 " believed the pope had secretly conveyed to him before he
 " had fulminated it, caused his troops to advance quietly, and
 " put himself in a position to attack the king of Navarre, with
 " whom he was living on good terms, and who suspected no-
 " thing. He knew in his conscience he was about committing
 " an injustice, and doubted not he would be reproached with
 " his invasion : on this account he sent to desire Cardinal Xi-
 " menes might come to him in Logrogne, where he was, in
 " order to sanction by his presence, at least in the eyes of his
 " subjects, a war which in other respects had no just grounds."
 Life of Cardinal Ximenes, pa. 358, 359. Ed. of 1693.

cate. Medals, struck by his order, represent him with the tiara on his head, a scourge in his hand, pursuing the French, and trampling under his feet the crown of France. Julius II. was so much of a temporal prince, that it would be hard to discover the bishop in him; he attended too little to even the forms of the Apostolat; this was the principal deficiency in his policy. ⁽¹⁾ It was nevertheless in his pontificate that the doctrine of the infallibility of the pope was established. Julius II. according to Guicciardini, ⁽²⁾ did not merit the title of a great man; and he obtains it from those only who, incapable of appreciating the value of words, imagine that a sovereign pontiff becomes less illustrious by setting an example of the

(1) John Lemaire, a contemporary author, made upon the warlike disposition of Julius II. the following observation: "Still shall we declare another wonderful change...it is, the Sultan's graciousness and tractability towards the Very Christian King, compared with the rigour and obstinacy of this modern pope, who, so martial and quarrelsome in his accoutrements, as if it was a duty of his to cause his terrible and warlike arms to be famous, like the great Tamerlane emperor and sultan of the Tartars, wishes always to be engaged in war, which is as becoming to him as for a dirty monk to dance. Unless he shall make some monstrous world to accord with his own ideas: for hogs will ever feed on acorns."—*Preface to the Treatise on Schisms*, p. 5.

Julius II. was detested even in Italy. Before his death, the inhabitants of Bologna, threw down his statue, the work of Michael Angelo.

(2) History of Italy, l. 11. ann. 1513.

pacific virtues, than in extending the domains of the church by the effusion of christian blood.

Leo X. though he reigned but eight years, has given his name to the age in which he lived: the just and invariable effect of liberal protection extended to men of letters, when it is bestowed with equal judgment and generosity. This pontiff loved power still less for its own sake and the vast designs it facilitates, than for the magnificence and gratifications it procures. The son of Lorenzo de Medicis, he especially interested himself in ways of securing to his family a lasting ascendancy in Italy. He destined for his nephew the sovereignty of Tuscany, and to his own brother the kingdom of Naples. Louis XII. absolved from the anathemas with which Julius had loaded him, was pledged to favour the ambition of the Medicis, who, on their part, were to support their pretensions to Milan. This alliance, secretly stipulated,⁽¹⁾ not having sufficiently speedy effects, Leo purchased the state of Modena from the emperor Maximilian, which he purposed uniting with those of Reggio, of Parma, and of Placentia, and possibly Ferrara, to bestow on his brother, or enrich with them the court of Rome.

After being leagued with the king of France, Francis I. to compel the emperor Charles V. to

(1) Guicciardini's Hist. of Italy, l. 12. The King of France promised to aid the pontiff in the acquisition of the kingdom of Naples, either for the church or for Giuliano his brother.

relinquish the kingdom of Naples, incompatible, he said, with the empire, the pope formed an alliance against the French with this same Charles, whose menaces terrified him to that degree, that he acceded in his favour to the re-union of the two crowns. Leo took into his pay a body of Swiss troops, and vowed thenceforward so violent a hatred to the French, that, when he had heard of their repulsion from the Milanese territory, he almost instantly expired, as is asserted from joy. He was but forty-six years of age; and notwithstanding the errors into which pontifical policy led him, we must regret that he did not live to protect for a longer period the advancement of the fine arts. He encouraged them like a man worthy of cultivating them; he cherished them with a sincere and constant love, with which they never inspire bad princes. His interior administration merited the gratitude of the Romans: ⁽¹⁾ their grief when deprived of him was profound; and, a few years before, equally pure homage was rendered to him when he escaped a conspiracy similar to that of the Pazzi, and in which the same Cardinal Riario, one of the accomplices in the former with Sixtus IV. was concerned. Guic-

(1) They have erected a statue to him with this inscription :
Optimo. principi. Leoni. X. Joan. Med. Pont. Max. ob. resti-
tutam. restauratamque. urbem. aucta. sacra. bonasq. artes. ad-
scitos. patres. sublatum. vectigal. datumq. congiarium. S. P.
Q. R. P.

ciardini and other writers have judged too hastily of Leo X. For what pope can obtain approbation, if it be not due to him, who has done more for Rome than any of his predecessors since Leo IV. and who did in Europe but a part of the mischief which tradition and example had bequeathed to him ?

The expense which the building the church of St. Peter exacted, obliged Leo to have recourse to the sale of indulgences. The clamours of Luther against this traffic were the prelude of a great revolution in Christendom. Leo X. excommunicated Luther and his followers. Bossuet,⁽¹⁾ thinks with reason, that the heresies and schisms of this century might have been prevented, if necessary reforms had not been neglected. But, in the history of this pontificate, what most relates to the present subject is, the concordat concluded between Leo X. and Francis I. in 1516.

In vain Julius II. excommunicated Louis XII. and menaced transferring the title of the Very Christian King to the king of England who was destined to merit it so badly, Henry VIII. ; in vain the fifth council of the Lateran published a monitory against the parliament of Paris, and all the abettors of the pragmatic sanction, enjoining them to appear at Rome to give an account of their conduct : Julius

(1) Hist. of the Variat. l. 1, n. 1, 2, 3.

died without shaking Louis. This excellent prince himself died at the moment in which Leo was preparing to deceive him ; and the crown of France devolved on Francis I. of whom Louis had often said : ‘ This great booby will spoil all.’—In fact, Francis I. in an interview with Leo at Bologna, consented to a concordat, and directed his chancellor Anthony Duprat to digest it in unison with two cardinals appointed for this purpose by the pope. The principal articles of this concordat are those which import, that for the future the chapters of the cathedral and metropolitan churches should not proceed in future to the election of bishops ; that the king, within the term of six months from the date of a see becoming vacant, shall present to the pope a doctor or lieutenant of twenty-seven years of age at least, who shall be made by the pope incumbent of the vacant see ; but, if the person proposed does not possess the requisite qualifications, the king shall be required to propose another within three months, reckoning from the day of the refusal ; that moreover the pope, without the previous presentation of the king, shall nominate to the bishops and archbishops’ sees, which shall become vacant whilst the incumbents are in attendance at the court of Rome. It is proper to remark that, in granting the nomination to the king, the pope reserved to himself the first fruits.⁽¹⁾

(1) On this subject observe the remark of Mezerai : “ There

Francis I. went himself to the parliament to have the concordat registered, and the chancellor Duprat explained the reasons which dictated it. They refuse to register it; the king gets angry. The parliament places a protest in the hands of the bishop of Langres, that, if the registry take place, it will be by constraint, and that they will not act in consequence in less conformity with the pragmatic. It is at length registered, but in endorsing on the folds of the concordat, that it has been read and published at the express command of the king, many times reiterated.

The see of Alby became vacant in 1519: the chapter nominated agreeable to the pragmatic sanction, and the king according to the concordat; the parliament of Paris, deciding between the two candidates, pronounced in favor of the one elected by the chapter of Alby. In 1521, a bishop of Condom, elected by the chapters of this church, was in the same manner supported against him whom the king had nominated. All the causes of this kind were similarly decided, until after the imprisonment of Francis I. and would have continued so to be, if a declaration of the 6th of September, 1529, had not referred to the grand council the cognizance of all

“ never was seen so odd an exchange ; the pope, who is a spiritual power, takes the temporal to himself, and bestows the spiritual on a temporal prince.”

proceedings relative to bishopricks, abbeys, and other benefices, the nomination to which had been granted to the king by Leo X.

The president Henault⁽¹⁾ has collected all the reasons alleged in favor of the concordat, and which may be reduced to the two following: 1st, kings in founding benefices, and in receiving the church into the state, have succeeded to the right of election exercised by the early believers: 2dly, simony, intrigue, and ignorance, govern electors, and give to the dioceses unworthy pastors.⁽²⁾ But, at bottom, the royal nominations were not the thing which most excited the clamours of the parliament; it complained more particularly of the first fruits, and the bull of Leo against the pragmatic sanction; of the first fruits, which, from St. Louis to Charles

(1) Ab. Chron. of Hist. of France: remark. particul.

(2) The worst of it was, says Brantome, when they could not agree in their elections, they often came to blows, and cuffed each other with their fists, knocked each other down, wounded nay killed each other.....They generally elected him who was the best companion, who loved the girls and was the greatest toper; in short he who was most debauched: others elected, from pity, some wretch of a monk who had been secretly plundering them, or kept his own private purse and starved his poor friars.....The bishops, elected and installed in these great dignities, God knows what lives they led...A dissolute life after dogs, birds, feasts, banquets, clubs, weddings and girls, of whom they kept seraglios...I would add more; but I do not wish to give offence.

VII. all the kings of France had prohibited, and which the early popes had declared improper and simoniacal, when they were enacted by the emperors; of the bull of Leo, which denounces as a public pest, as an impious constitution, a pragmatic, founded on the decrees of general councils, cherished by the people and promulgated by the sovereign. This bull suspended, excommunicated, menaced with loss of temporal possessions, civil or ecclesiastic, the French prelates, and even lay lords, who should re-demand or regret the pragmatic sanction of Charles VII. In fine, they dared to cite in this same bull of Leo X. the bull of Boniface VIII. "*Unam sanctam*," in which the right of humbling thrones, of taking and bestowing crowns, is ascribed to the Roman pontiff. This is what provoked the opposition of the parliament; and we must admit, apparently, this was neither unreasonable nor contrary to the interests of the monarchy.⁽¹⁾ If the question had only been to substitute to the right of confirming the elections, possessed for a long time by the monarch, that of making the choice himself, we have reason to think the registry would have experienced much less difficulty.

Such as it was concluded in 1516, the concordat

(1) Velly's Hist. of France, vol. xxiii. p. 161, &c.—Gail-
lard's Hist. of Francis I. vol. vi. p. 1—120.

could not be pleasing to a people who had received with enthusiasm the pragmatic of 1439. Under Francis I., under his successors Henry II., Francis II., Charles IX., Henry III., the universities and the parliaments seized every opportunity of remonstrating against this alteration of the fundamental laws of the Gallican church. The states of Orleans under Charles IX., those of Blois under Henry III. expressed the same regret: the clergy themselves have often demanded the restoration of the 'pragmatic;' they said in their remonstrance of 1585, that the king Francis I., when near death, had declared to his son, that there was nothing which weighed so heavily on his conscience as the concordat.⁽¹⁾

After Leo X. Adrian VI. born of very obscure parents, occupied for but twenty months the chair of St. Peter. He had taught when a simple doctor of Louvain, that the pope was subject to err in matters of faith: far from retracting this doctrine when pope, he caused a work to be printed in which he

(1) This mode of thinking on the pragmatic and concordat was so national, so constant, that in 1789 even the petitions prepared for the sessions of the States general unanimously demanded the abolition of the concordat and restoration of the pragmatic sanction. *Summary of the Petitions*, vol. i. p. 33; vol. ii. p. 277; vol. iii. p. 409, 410.

professed it. ⁽¹⁾ On this head, some sophist of Louvain might have, after the example of an old Greek sophist, argued in this manner: "If the pope be infallible, it follows that Adrian must have been so when he asserted he was not; therefore by this very infallibility they prove it not to exist. Either Adrian deceives himself, and therefore the pope is infallible, or Adrian is right, and then we must acknowledge with him the pope may be deceived." ⁽²⁾

The natural and posthumous son of Giulio de Medicis, assassinated in 1478 by the Pazzi, Clement VII. was elected pope, infallible or not, in 1523.—The successes and genius of Charles V. restored at this time to the imperial dignity its ancient splendour and its preponderance in the affairs of Italy. Clement wished to place difficulties in the way of it; he

(1) Bossuet. *Def. Cler. Gall. Diss. prævia. n. 28. p. 23...*
The text of Adrian is as follows:

"Dico quod, si per Romanam ecclesiam intelligatur caput illius, puta pontifex, certum est quod possit erare, etiam in his quæ tangunt fidem, hæresim per suam determinationem aut decretalem docendo: plures enim fuerunt pontifices Romani hæretici. Idem et novissime fertur de Joanne XXII." &c. In lib. 4, *Sententiæ*.

(2) The Italians had no love for this pope: Pallavicini, in his *Hist. of the Council of Trent*, l. 2, c. 9, n. 1, says, that Adrian VI. was indeed a very good priest, but a very indifferent pope.

formed against the emperor a league, which was called holy, because the pope was its head, and into which the king of France, the king of England, the Venetians, and other Italian governments, entered : but the constable of Bourbon, quitting Francis I. for Charles V. led a German, and, in great part, Lutheran army against Rome, took this city, sacked it, and compelled the people to retire to the castle of Saint Angelo. Clement did not leave it, but by pledging himself to deliver it up to the officers of the emperor, and to pay three hundred and fifty thousand gold ducats. He bound himself, to deliver up to the Imperialists Ostia, Civita--Vechia, Citta di Castello, and, to cause to be restored to them Parma and Placentia. Not being able to fulfil his engagements, the pope escaped in the disguise of a merchant to Orvieto. Affected with the great distresses of the pontiff, Francis I. resolved to march to his assistance, and made arrangements which compelled Charles to become reconciled with Clement. Charles, crowned emperor by Clement in 1530, promised to re-establish the Medicis in Florence, for the pontiff did not neglect the interests of his family ; he married his niece Catherine, to the son of Francis I, that niece but too famous in the annals of France, down to the year 1589. It was in these circumstances Henry VIII. of England thought of putting away his wife, Catherine of Arragon, aunt of the emperor, in order to mar-

ry Ann Boleyn. While the war continued between the Holy See and Charles, Clement seemed favourable towards this project, and the bull of divorce was prepared. The reconciliation of the pope and the emperor led to quite an opposite decision. In vain did the theologians of England, of France, and of Italy, declare, that the marriage of a brother with his brother's widow should be considered void ; this was the situation of Henry with Catherine of Arragon ; Charles dictated to Clement a decision which declared the validity and indissolubility of this marriage. Henry is excommunicated if he persists in the divorce. The monarch appeals to a general council on the matter ; the English clergy decide, that the pope has no authority over Great Britain : the parliament gives him the title of supreme head of the church. Thus is completed a schism it would have been so much the more easy to avoid, as the king abhorring the name of heretic, and emulous of the glory of being a very zealous catholic, had written against Luther, and obtained from Leo X. the title of defender of the faith. Henry, cut off from the church, fell to persecuting alike the partisans of the pope and the Lutherans.

Paul III. who reigned from 1534 to the end of the year 1549, confirmed the excommunication of Henry, convoked the council of Trent, approved the new institution of the Jesuits, and was the first an-

thor of the bull, "In cœnâ Domini". (1) Those who appeal from the decrees of the pope to a general council, those who favour the appellants, those who say that a general council is superior to a sovereign pontiff; those who, without consent from Rome, exact from the clergy contributions for the necessities of the state; the civil tribunals which presume to try bishops, priests, those who are only tonsured, or monks; chancellor, vice-chancellors, presidents, counsellors, and, attorney-generals, who decide ecclesiastical causes: all those, in fine, who do not admit the omnipotence of the Holy See and the absolute independence of the clergy, are anathematized by this bull, which, published for the first time on holy Thursday, of the year 1536, was to be so published annually on the same day: it is on this account, therefore, denominated: *In cœna Domini*; for the practice of thus publishing it every year at Rome was established in despite of the just remonstrances of sovereigns.

We shall here render homage to certain cardinals and prelates who addressed to Paul III. some very judicious, though very useless remonstrances. "You are aware, they say, that your predecessors were willing to be flattered. It was unnecessary to desire it, they would have been sufficiently so without exacting it; for adulation follows princes as a shadow follows a body, and to this day the throne is

(1) It commences with these words: "*Consueverunt Romani Pontificis*," and contains twenty-four paragraphs.

" difficult of access to uncompromising truth. But,
 " in order to secure themselves the better from its
 " intrusion, your predecessors surrounded them-
 " selves with skilful doctors, whom they commanded
 " not to teach duties, but to justify caprices. The
 " talents of these doctors were to be exercised,
 " in discovering every thing to be lawful which pre-
 " sented itself as agreeable. For instance they have
 " declared the sovereign pontiff absolute master of
 " the benefices of Christendom ; and, as a lord has
 " the right of selling his domains, that so, they con-
 " clude, the head of the church can never be guilty
 " of simony, and that in affairs relating to benefices,
 " simony can only exist when the seller is not pope.
 " By this, and similar reasoning, they have arrived
 " at the sweeping conclusion they were to demon-
 " strate, to wit, that, that which is pleasing to the
 " pope is always lawful to him. Behold, holy fa-
 " ther, the remonstrating cardinals add, behold the
 " indubitable source from whence have issued as
 " from the wooden horse, all the abuses, and all the
 " plagues which have afflicted the church of God." (A)

Paul III. had destined for his grandson, Octavius
 Farnese, the States of Parma and Placentia : Char-
 les V. who intended to unite them to the duchy of
 Milan, was threatened with the heaviest censures.
 Afterwards the pontiff wished for Parma for the Holy

(A) See Appendix.

See, and they say, died of grief when he learned that Octavius was on the point of obtaining this duchy.

Julius III. by agreement with the emperor, refused the investiture to Farnese; but the king of France, Henry II. protected the duke, and sent him troops. At this news Julius excommunicated the king of France, and threatened to place the kingdom under interdict. Henry was not terrified; he forbade his subjects from taking money to Rome, or addressing themselves to others than the usual prelates in ecclesiastical matters. This firmness softened the holy father, who even laboured to reconcile the emperor with the king of France.

After Marcellus II. who reigned but twenty-one days, John Peter Caraffa, was elected pope, who took the name of Paul VI. "Although he was seventy nine years old," says Muratori, "his head was an epitome of Mount Vesuvius near which he was born. Overbearing, passionate, cruel, inflexible, his zeal for religion, was without prudence, and without bounds. His savage look, his eyes hollow, but sparkling and inflamed, presaged a severe and sullen government. Paul nevertheless began with acts of clemency and liberality which seemed to belie the apprehensions which his character had inspired: he so lavished favors and courtesies, that the Romans erected a statue to him in the capitol. But his natural tem-

“ per soon returned, burst the banks, and verified the “ most unfortunate forebodings.” Family interests made him the enemy of Spain : he not only persecuted the Sforzi, the Colonnas, and other Roman families attached to this power, but he entered into a league with France to deprive the Spaniards of the kingdom of Naples. The cardinal of Lorain and his brother, the duke of Guise, led Henry II. into this league in spite of the constable, Montmorenci. But the cardinal Pole, minister of Mary, Queen of England, and wife of Philip the Spaniard, had the address to make the French monarch sign a truce of five years with the court of Madrid. Paul is enraged ; his nephew, the cardinal Caraffa, comes to France to complain of the treaty they have presumed to make with Spain, without the knowledge of the Court of Rome. The duke of Alba, viceroy of Naples is desirous of lulling this quarrel ; he sends a delegate to the pope, whom the pope imprisons. This outrage compels the viceroy to take arms ; he makes himself master in a short time of a great part of the ecclesiastical state. Alarmed at the progress of the duke of Alba, the court of France sends an army of twelve thousand men against him, commanded by the duke of Guise. But, in the mean time the French lose the battle of Saint Quentin : to repair this loss, they are obliged to recal Guise and his troops, and the pope is compelled to negotiate with the viceroy.

Charles V. is uniting the imperial crown to that

of Spain and of the Two Sicilies, had obtained, not only in Italy, but in Europe, a preponderance vainly disputed by Francis I. The abdication of Charles, in 1556, divided his power between his brother Ferdinand, who became emperor, and his son, Philip II. who reigned over Spain and Naples. But, in spite of this division, this house was nevertheless, during the greatest part of the sixteenth century, that which most justly excited the jealousy of the sovereign pontiffs; and Paul IV. in declaring war against him, was led into it by the general policy of the Holy See, as much as by family interests and personal resentments. He refused to confirm Ferdinand's election to the empire, and maintained that Charles V. had no power to abdicate this dignity without the approbation of the Court of Rome.⁽¹⁾ Frederick had the good sense to dispense with the pope's concurrence, and the succeeding emperors followed his example. The most certain means of restraining the pontifical power within just bounds was, to suppress in this way, the forms and ceremonies which had so importantly contributed to extend it.

Elizabeth, who succeeded her sister Mary in 1558 on the English throne, was disposed by the circumstances of her accession to favor catholicity. The impetuous Paul, mistook the prudence of this

(1) We shall transcribe in our 2d vol. some of the arguments of Paul and his theologians, to prove that the pope was the "superior" of the emperor.

queen for weakness and fear : he replied to the ambassador of Elizabeth, that she was but a bastard, and that England was but a fief of the Holy See ; that the pretended queen ought to commence by suspending the exercise of her functions, until the Court of Rome had sovereignly pronounced on her claims. A bull declared that all prelates, princes, kings and emperors, who fall into heresy, are, by the act itself, deprived of their benefices, states, kingdoms and empires, which belong to the first catholic who may wish to make himself master of them, and that the said heretical princes or prelates never can resume them. From this moment Elizabeth no longer hesitated to establish the English schism ; she embraced, favoured, and propagated heresy : we must blame her no doubt ; but how can we excuse a pope whose violence led him to such extremities, and who refrained not from participating in the conspiracies framed against the authority and even life of this sovereign ? When after four years reign this pontiff died, the Romans broke his statue and cast it into the Tiber ; scarcely could his body be secured from the fury of the populace : the prison of the Inquisition was burned ; Paul had made a terrible use of this detestable tribunal, and he reproached with severity the German princes for their indulgence towards heretics.

Pius IV. exercised against the nephews of Paul the most cruel revenge, advised to it, it is said, by

the King of Spain, Philip II., the implacable enemy of the Caraffa. The Queen of Navarre was summoned by this pope to appear at Rome within six months, under the usual penalties of excommunication, deprivation, and degradation : menaces almost as ridiculous as they were criminal, the only effect of which was to irritate the court of France. But the pontificate of Pius is especially remarkable for the termination of the council of Trent, which had lasted eighteen years, from 1545 to 1563. The doctrinal decisions of this council do not concern us : we shall say something of its legislative decrees.

The council of Trent pronounces, in certain cases, excommunication, deposition and deprivation, against kings themselves. It ascribes to bishops the power to punish the authors and the printers of forbidden books, to interdict notaries, change the directions of testators, and apply the revenues of hospitals to other uses. It renders the marriages of minors, without the consent of parents, valid : it permits ecclesiastical judges to have their own decisions against laymen executed, by seizure of goods and imprisonment of person ; it screens from the secular jurisdiction all the members of the clergy, even those who have only received simple tonsure ; it desires that criminal proceedings against bishops should be judged only by the pope ; it authorises the pope to depose non-resident bishops, and appoint successors to them ; it subjects in fine its own

decrees to the approval of the sovereign pontiff, whose unbounded supremacy it recognizes. Gregory VII., Innocent III., Boniface VIII., and Julius III., never aspired to a more absolute theocracy, more subversive of all civil authority and of all social principle.⁽¹⁾ In consequence, they determined in France, that the council of Trent, infallible in its dogmas, was not so in its legislation; and not to be surprised into it, they published neither its legislation nor dogmas: the States of Blois in 1579, and of Paris in 1614, opposed themselves warmly to this publication, demanded by the popes, and solicited even by the clergy of France; for we are obliged to avow, that since 1560 the larger proportion of this body did not cease, whatever they may say to the contrary, to confound its interests with those of the court of Rome; and if it appeared for a while to detach itself from it, by the Five Articles of 1682, of which we shall shortly treat, it has since amply repaid by compliances and connivance, a step into which peculiar circumstances had led it.

Pius V. had been grand inquisitor under Paul IV.; he continued to act the part when pope: no

(1) We here behold with what immense auxiliaries the clergy had encompassed and enriched their pastoral office. "They had," says Pasquin, "extended their spiritual jurisdiction over so many matters and affairs, that the suburbs became thrice as large as the city."—*Researches on France*, l. 3. s. 22.

pontiff has burned more heretics, or persons suspected of heresy, at Rome than he. Among the victims of his zeal we observe many learned men, and especially Palearius, who had compared the Inquisition to a poignard directed against men of letters; "*sicam districtam in jugula litteratorum.*" A bull of Pius V. against certain propositions of Michael Baius, was the first signal of a long and melancholy quarrel. This pope in renewing and amplifying the bull of Paul III. "*In cænâ Domini,*" commanded it to be published on holy thursday throughout all the churches; previously it had been fulminated only at Rome:⁽¹⁾ it may be said, that Pius V. wished to arm against the Holy See the remnant of the Catholic princes, and to condemn them to the alternative of renouncing the independence of their crowns or the faith of their ancestors. The remonstrances were universal; Philip II. the most superstitious of the kings of this period, forbade under severe penalties the publication of this bull in his states. By another bull Pius excommunicated Elizabeth: an anathema at least superfluous,

(1) In 1580, many French bishops attempted to publish, in their dioceses, the bull "*In cænâ Domini;*" but on the complaint of the procureur general, the parliament of Paris ordered the seizure of the temporal revenues of the prelates who should publish this bull, and declared, that any attempt to enforce it would be reputed rebellion and the crime of high treason.

and which produced no other consequence than the execution of John Felton, who had ventured to placard this sentence in London. A league entered into between the Pope, Spain, and Venice, against the Turks, was successful: Don John of Austria, rendered himself illustrious by the victory of Lepanto; and the pope was not afraid to apply to this warrior, the bastard of Charles V. these words of the Gospel: "There was a man sent from God, and this man's name was John." Finally, by the power which he said he held from God, and in character of pastor charged with examining into the claim of those who had merited extraordinary honours by their superior zeal for the Holy See, Pius V. decreed the title of grand duke of Tuscany to Cosmo de Medicis. The emperor remonstrated in vain: Cosmo with his new title had himself crowned at Rome, and took the oath at the hands of the pope. But that which is most remarkable here is, the reasons assigned to Maximilian by the cardinal Commendon to justify this pontifical act: Commendon said, that the pope had deposed Childerick, invested Pepin, transferred the empire of the East into the West, appointed the electors, confirmed and crowned the emperors; from whence he concludes that the pope is the distributor of thrones, of titles, and in some sort, the nomenclator of princes, as Adam had been that of animals.

We shall here remark that the same Pius V. who, to

avenge some articles of the Catholic faith, armed Christian against Christian, wrote to the Persians and to the Arabs, that in spite of the diversity of worship, a common interest ought to unite Europe and Asia to combat the Mussulmans. This apparent contradiction should surprise no one: we know that in religious dissensions, hatred is proportionately lively as the sentiments recede least from each other.

Gregory XIII. crowned pope the 25th of May, 1572, three months before the too celebrated St. Bartholomew's day, no sooner heard of this massacre than he caused cannon to be discharged, and kindled fires, for joy: he returned thanks to heaven in a religious ceremony; and history records a picture which attested the formal approbation bestowed by the pontiff on the assassins of Coligny: "*Pontifex Colignii necem probat.*" In 1584, Gregory also sanctioned the league, on the exposé of the Jesuit Mathieu, who was deputed to Rome for this purpose. "For the rest," writes this Jesuit, "the pope does not think it proper to attempt the life of the king; but if they can secure his person, and give him those who will hold him in rein, he will approve it much." Gregory even avoided signing any writing which the league could take advantage of; he assisted them only with the 'small money' of the Holy See, said the Cardinal of Este: now this money consisted of indulgences.

The dissensions which distracted France at this time had without doubt various causes, but among them the abolition of the 'pragmatic,' and the establishment of the concordat were not sufficiently noted. On one side, so fatal an alteration in the discipline, in scaring people's minds, had disposed them to receive new doctrinal opinions disapproved by the court of Rome; on the other, the ultramontane maxims that the concordat had introduced, and that Catherine de Medicis had propagated, inspired sentiments of intolerance in those who remained in the communion of the Holy See : the 'pragmatic' would have preserved France both from heresy and from persecuting zeal. Under the reign of the concordat, these two seeds of discord, rendering each other fruitful, had enveloped with their horrible fruits, the reigns of Charles IX. and Henry III. The new interests which the concordat gave to the clergy of France, rendered them devoted to the court of Rome, and weakened more and more the ties which ought to have held them to the state. They applied themselves so to the maintenance and renewal of the maxims of the middle age, that Gregory ventured, in this enlightened age, a new publication of the decree of Gratian ; but the pope, in reforming the calendar, performed a service which the people separated from the Romish communion had, for a long time, the folly not to profit by.

The successor of Gregory was the too famous Sixtus V., a sanguinary old man, who knew how to

govern his states only by punishments, and who, without advantage to the Holy See, re-animated by bulls the troubles which disturbed other kingdoms. He professed a high esteem for Henry IV. and for Elizabeth ; he excommunicated both, but in some measure for form sake alone, and because such a step seemed required in his pontifical character. He detested and dreaded Philip II. : he wished to take the kingdom of Naples from him ; he supported him against England. A solemn bull gave Great Britain to Philip, declared Elizabeth a usurper, a heretic, and excommunicated ; commanded the English to join the Spaniards to dethrone her, and promised rewards to those who should deliver her to the catholics to be punished for her crimes. Elizabeth with the same ceremony excommunicated the pope and the cardinals at St. Paul's cathedral in London. Nevertheless Philip failed in his undertaking, and Sixtus was almost as well pleased as Elizabeth at it ; he invited this princess to carry the war into the heart of Spain.

Notwithstanding his detestation and contempt of the league, Sixtus launched his anathemas against the king of Navarre and against the prince of Conde, calling them an impious blasted race, heretics, relapsed enemies of God and of religion ; loosed their present and future subjects from their oaths of allegiance, finally declaring these two princes and their descendants deprived of all rights, and incapable of ever

possessing any principality. This bull commences with the most insolent display of the pontifical power : “ superior to all the potentates of the earth, “ instituted to hurl from their thrones infidel princes, “ and precipitate them into the abyss of hell as the “ ministers of the devil.” The king of Navarre, afterwards Henry IV. acted like Elizabeth ; he excommunicated Sixtus, ‘ styling himself pope,’ and Sixtus applauded this courageous resistance. But these bulls, which their author himself laughed at, did not serve the less as cause of civil wars ; the fanaticism they cherished in the catholics, compelled Henry III. to persecute the calvinists the more rigorously, to command them to abjure or quit the kingdom ; while, on his part, the king of Navarre found himself compelled to take severe measures against the catholics. Henry III. more than ever distracted between the two parties, had neither the skill nor the power that such a situation demanded. We behold him depriving the king of Navarre of the right of succession to the throne of France, and afterwards throwing himself into the arms of this generous prince. This reconciliation provoked a Monitory, in which Sixtus orders Henry III. to appear at Rome in person, or by Attorney, within sixty days, to give an account of his conduct, and declares him excommunicated if he do not obey. We must conquer, said the king of Navarre to Henry III. whom this anathema had terrified, we must conquer : if we are beaten we shall be excommunicated

and harassed again and again. These censures had preserved so little of their ancient power, that a bishop of Chartres said, they were without force at this side of the mountains, that they froze in passing the Alps. The poignard of James Clement was more efficacious. Henry III. fell beneath the blows of the assassin : and, if we may believe the league, Sixtus V. was in an extacy at so daring an enterprize, compared it to the incarnation of the word and the resurrection of Jesus.

If it were necessary to explain the policy of this pontiff, we would say, that his real enemy, the rival whom he wished to overthrow, was Philip, whom he did not excommunicate, and against whom he dared not do any thing openly : circumstances did not permit it. Sixtus hoped, no doubt, that the commotions excited in England, and kept up in France by pontifical anathemas, would extend further and lead to some result fatal to Philip. This display of the papal supremacy, exhibited against the kings of Navarre and of England, more truly menaced him who, governing Spain, Portugal, Belgia, the Two Sicilies, and a part of the new world, surpassed in riches and in greatness every other potentate. To declare Great Britain a fief of the Roman church, was to renew abundantly the pretensions of the church over the kingdom of Naples ; and, when the pope erected himself into a sovereign arbiter of kings, he gave it plainly to be understood, that an error or a misfortune might suffice to draw after it the fall of the most powerful.

Unhappily, the catholicity of Philip was impregnable; Henry IV. was satisfied in defending himself against Spain, Queen Elizabeth preferred securing her own throne to disturbing those of others, and Sixtus finally died too soon. ⁽¹⁾

After him Urban VII. reigned but thirteen days, Gregory XIV. but ten months, and Innocent IX. but eight weeks. Gregory had sufficient time to

(1) In execution of a decree of the council of Trent, a decree pronounced in 1546, Sixtus published in 1590, an official edition of the Vulgate; and, in a bull which served as a preface, he declares of his personal knowledge, and with the plenitude of his power, that this was the version consecrated by the holy council, commanding every old edition to be corrected by it, forbidding all persons from publishing any not exactly copied from this model, under penalty of the greater excommunication by the act alone. Who would believe that after such a sentence, this edition, which had been waited for forty and four years, should have been suppressed immediately after the death of Sixtus, and replaced, in 1592, by that which bears the name of Clement VIII. Between these two editions they reckon about two thousand variations, the most of which, however, are trifling. But the edition of Clement has prevailed in the catholic church; it is recognised and revered by it as the true Vulgate. We make this remark as one of those tending to prove, that even in matters of doctrine, the general consent of the churches abrogates, or confirms, the decisions of the popes.

"We must admit, says Dumarsais, either that Clement was wrong in revising the Bible of Sixtus V; or, that Sixtus erred in declaring by his bull, that the edition published by his order was very correct and in its purity." *Exposition of the doctrine of the Gallican church*, pa. 163 of the 7 vol. of Dumarsais works.

encourage the leaguers, notwithstanding, to excommunicate Henry IV., and to levy at a great expense an army of brigands, who ravaged some of the provinces of France.

Clement VIII., the last pope of the 16th century, having ordered the French to choose a king catholic in name and in deed, the sudden catholicism of Henry turned the tables on the court of Rome, the league, and the intrigues of Spain. The pope preferred absolving Henry to seeing him reign and prosper in defiance of the Holy See. In truth, the representatives of the king, Perron and d'Ossat, lent themselves very complaisantly to the ceremonies of the absolution ;⁽¹⁾ and they had not much difficulty in obtaining the suppression of the formula : " We reinvest him in his royalty." But the absolved prince took a decisive measure against the pretensions of the court of Rome, in securing to the Protestants, by the Edict of Nantes, the free exercise of their religion and full enjoyment of their civil rights. When the catholic clergy came to require of him the publication of the decrees of the council of Trent, he evaded the proposition with that ingenious and easy politeness which distinguished the manners of the French, and which embellished in those of Henry IV. courage, fortitude and truth. Yet this Henry, publicly adored by the nation, fanaticism proscribed

(1) Bossuet. Def. Cler. Gall. l. 3. c. 28.

in secret ; and the Jesuits, whom the poignards of Barriere and John Chatel had ill served, sharpened that of Ravailac.

In 1597, Alphonso II. duke of Ferrara, dying without children, Clement resolved to make himself master of this duchy, and made so good a use of his spiritual and temporal arms, that he succeeded in this undertaking to the exclusion of Cesar d'Este, the heir of Alphonso. This pope and his predecessors have been often reproached, since the death of Julius II. with a vacillating policy, and an extreme fickleness in their enmities and alliances. Let us not mistake these charges for proofs of unskilfulness ; they evidence only the difficulties of the circumstances, and the state of weakness, in which the the schism of Avignon, the progress of heresy, and the ascendancy of some princes, had placed the Holy See. If during the sixteenth century the chair of St. Peter has been almost continually occupied by skilful pontiffs, this age also presents to us seated on most of the thrones, celebrated sovereigns, whose virtues, talents, or energetic characters, severally recommended them to the historian : for example, Henry VIII. and his daughter Elizabeth, in England ; Louis XII. Francis I. and Henry IV. in France ; Charles V. and Philip II. in Spain. None of our modern eras has been more fertile in memorable men in all pursuits. And yet the court of Rome renounced none of its pretensions ; it upheld

the traditions of its ancient supremacy ; it continued to speak in the language of Gregory VII. and Innocent III. What more could she do in the midst of so many formidable rivals ? It was doing much to weather the tempests and preserve herself for better times. But these times did not come, and the popes of the seventeenth century, far inferior to those of the sixteenth, to Julius II. to Leo X. and to Sixtus V. have suffered even the hope to be lost of ever re-establishing in Europe the pontifical authority.

Among the numerous writings published in the course of this century on the liberties of the Gallican church, that of Peter Pithou in 1594 is particularly distinguished. Comprised in eighty-three articles, it has the form and has almost obtained the authority of a code ; for, we find it not only quoted in pleadings but in the laws themselves.⁽¹⁾ The pragmatic of St. Louis in the thirteenth century, the Vergers Dream in the fourteenth, the pragmatic of Charles VII. in the fifteenth, Pithou's treatise in the sixteenth, and the Four Articles in 1682, present, among the French, an unbroken tradition of the soundest doctrine on the limits of the pontifical office.

(1) The 50th article of Pithou is cited in the edition of 1719.

CHAPTER X.

ATTEMPTS OF THE POPES OF THE SEVENTEENTH CENTURY.

NO pope since the year 1600 united to an energetic ambition talents worthy of seconding it. Henceforward the Holy See becomes but a power of the second order, which, scarcely capable of bold aggressions, defends itself by intrigue, and no longer attacks but by secret machinations. The reforms which separated from the Romish Church one part of Christendom, serve to deliver the remainder from the pontifical tyranny. Everywhere the civil power became confirmed; disturbances even tended either to organize and especially to enfranchise it. The annals of the popes become more and more detached from the general history of Europe, and thus lose all their splendour and a great part of their interest. We shall therefore only have to collect into this chapter a very limited number of facts, after we shall have considered in a general point of view the influence of the Roman court in

the seventeenth century over the principal courts of Europe.

In England, James I. the successor of Elizabeth had escaped, himself, his family and his parliament, from the powder plot, hatched by the Jesuits and other agents of the sovereign pontiff. A prodigal and consequently indigent king, James had seen the formation of the opposite parties of Whigs and Tories. The House of Commons, in which the Whigs governed, resisted Charles I. ; Charles menaced, they insulted him ; he takes arms, they compel him to fly ; he perishes on a scaffold, the ignoble victim of tragical proceeding. The protector of the English republic, Cromwell, tyrannizes over it, and renders it powerful : but Cromwell dies, and Monk delivers England up to Charles II. The inconstancy and contradictions which accumulated during this new reign, disclose the indecisive influence of the Roman court ; the catholics are tolerated, accused, protected, excluded from employments ; five Jesuits are decapitated ; the king dissolves the parliament, and signs the act of Habeas Corpus ; an anti-papistical oath is enacted, and the duke of York, who refuses to take it, is, nevertheless, appointed to the rank of high admiral ; soon after he succeeds Charles his brother, under the name of James II. and wearies by barbarous executions the patience of his subjects. James without friends, even among the catholics whom he loaded with favours, deserts himself, and loses without a

combat his degraded sceptre. The English government re-organized itself, and William of Nassau, prince of Orange, the son-in-law of James, was called to the throne of Great Britain. William, at the same time Statholder in Holland, and king of England, governed both countries with energy, and triumphed over the conspiracies continually fomented or encouraged against him by the Holy See. Thus disturbances and crimes, the weakening of catholicity, the restoration of the civil authorities, such have been among the English of the seventeenth century the only results of the dark manœuvres of the court of Rome.

The peace of Munster, in 1648, proclaimed the independence of the united provinces. In spite of the soil, the climate, and their discord, Holland, already flourishing, and freed from the Spanish yoke, assumed a distinguished rank among the powers escaped from the dominion of the Holy See. The king of Spain, Philip III. also lost Artois, which Louis XIV. became master of, and Portugal which crowned the duke of Braganza king. Charles II. son of Philip IV. lost Franche Comte, died without children, and bequeathed his kingdom to a grandson of the king of the French. The ascendancy which the popes still possessed over Spain, so fallen herself, and who seemed to place herself under French influence, was therefore a weak resource.

In Germany, the orthodoxy of the emperors. Fer-

Ferdinand II. Ferdinand III. and Leopold, did not check the progress of heresy. After the despotism of Ferdinand II. had disgusted the Germans and the North of Europe, we behold the imperial authority decline in the hands of Ferdinand III.; and Leopold, ruled for forty-seven years by his ministers, women, and confessors, the useless friend of the popes, supported himself only by the idea he inspired of his weakness.

After Henry IV. who was assassinated in 1610, the seventeenth century presents us with but two kings of France, Louis XIII. and Louis XIV. Louis XIII. banished Mary de Medicis his mother, recalled her, and banished her once more; he insults her because he fears her: he does not esteem Richlieu whom he receives as minister and as master. The Protestants, always restless and menaced, take arms; Rochelle, their bulwark, capitulates after a long siege. Richlieu publishes an act of grace: he is too fearful of Rome and the children of Loyala, to crush as yet the followers of Calvin.⁽¹⁾ He is

(1) Richlieu rejected the prayers of Urban VIII. who, in his letters to Louis XIII., to the queen, and to Richlieu himself, ceased not to recommend the complete extermination of the Huguenots. "*Cæterum, cum scias quâ curâ custodiendi sint victoriarum fructus, ne marcescant, nemo est qui ambigat a te reliquis omnes hæreticorum in Gallicâ vineâ stabulantium propediam profligatum iri.*" *Urb. VIII. Epis. ad principes, ann. 6. f. 10. Aux. Arch. of the Empire.*

more desirous of humbling the great ; and terrifies them by the executions of Marillac, of Montmorency, and of Cinq-Mars ; and, finishing by unworthy means what Henry IV. had not time to perfect, he established in the interior of France the monarchical power. His death, and that of Louis XIII. led to a stormy minority : the Fronde repulsed Mazarin ; Mazarin wearied out the Fronde, and applied himself to ruling carelessly a frivolous people. What he most neglected was the education of the young king, that Louis XIV. who, from 1661 to 1715 reigned over the French, and for awhile gave law to Europe. The revocation of the edict of Nantes, in 1685, divides this long reign into two parts : good services, and triumphs, immortalize the first : hypocrisy, fanaticism, vain glory, and misfortunes, filled the latter with intrigues, proscriptions, and slow calamities. Yet, whatever may have been the misfortunes of Louis XIV. the most glorious recollections of French history under its third dynasty belong to his reign. The nation whose pride he cherished pardoned the excesses of his ; and so many of those who surrounded him merited the appellation of just, that he has obtained it himself ; other princes on the contrary reflect their personal greatness on that which surrounds them. But his imposing authority for a long time repressed the ambition of the popes ; and the influence which they exerted over the latter

period of his reign, has tended much more to injure France than to benefit the Roman Court.

The wars of the Venetians against the Turks, the conspiracy of the Spaniards against Venice, in 1618, the sedition of Mazaniello in Naples, in 1640, and the enterprizes of some of the Roman pontiffs, are in this century the principal events in the annals of Italy. Never was the country more disposed to bear and to extend the dominion of the popes: but the popes failed in the address necessary to draw the full advantage from this disposition: they suffered the fine arts to languish and decay about them, while they grew and flourished elsewhere: in this century the Italians ceased to be the most enlightened people of Europe, a pre-eminence which they needed, to preserve any share of it, and not suffer themselves to be reduced in all respects to a state of inferiority.

The most remarkable popes of the seventeenth century were Paul V. Urban VIII. Innocent X. Alexander VII. Clement IX. Innocent XI. Alexander VIII. and Innocent XII.

The republic of Venice had punished with death, without the intervention of the ecclesiastical authority, an Augustine monk convicted of enormous crimes; a canon and an abbot were imprisoned for similar reasons; the senate forbade the encrease, without its permission, either of convents or churches; it prohibited the alienation of lands for the benefit of monks or of the clergy. These acts of independence irritated Paul

V. ; he excommunicated the doge and the senators, and laid an interdict on the whole republic. He required that within twenty four days the senators, revoking their decrees, should deliver into the hands of the nuncio, the canon and the abbot they had imprisoned. If, after the twenty-four days, the doge and senators persisted in their refusal for three days, the divine functions were to cease, not only in Venice, but through all the Venetian dominions ; and, it was enjoined on all patriarchs, archbishops, bishops, vicars-general, and others, under pain of suspension, and deprivation of their revenues, to publish and affix in the churches this pontifical decree, which Paul pronounced, as he said, by the authority of God, the apostles, and his own. The Capuchins, the Theatins, and the Jesuits, obeyed the interdict, which was disregarded by the rest of the Venetian clergy as it was by the people. Little attention was paid to the Theatins and Capuchins ; but the Jesuits, more powerful and more culpable, were banished for ever. A protest against the anathemas of Paul was addressed by the doge to the prelates and clergy ; and the senate wrote on the same head to all the cities and communes of the state. These two pieces are distinguished for their calm energy, which mingles no insult, no indication of passion, with the expression of unshaken resolution. We have omitted nothing, say the senators, to open the eyes of his holiness ; but he has closed his ear to

our remonstrances, as well as to the lessons of Scripture, of the holy fathers and of councils ; he perseveres in not acknowledging the secular authority which God has committed to us, the independence of our republic, and the rights of our fellow-citizens. Shall we appeal to a general council? our ancestors have done it in similar circumstances ; but here the injustice is so palpable that a solemn appeal would be superfluous. Our cause is too immediately that of our subjects, of our allies, of our enemies themselves, that such an excommunication should disturb for a moment the external or internal peace of our republic.

In fact, the anathema remained inefficacious within and without.⁽¹⁾ In vain did the pope employ the Jesuits to raise or indispose the European courts against the Venetians. In Spain even, where these Jesuitical intrigues were somewhat more successful than elsewhere, the Venetian ambassador was admitted to all the ecclesiastical ceremonies, in spite of the threats of the nuncio. The governor of Milan, the dukes of Mantua and Modena, the grand duke

(1) The court of Rome, says Dumarsais, fears only those who do not fear her, and concedes only to those who will not concede to her ; she has no power but that derived from the weakness of those who are ignorant of their own rights, and who ascribe to her, what she would never have dared to attribute to herself but for their blind deference.—*Exp. of the Doctrine of the Gallican Church. v. 228 of 7th vol. of Dumarsais' Works.*

of Tuscany, the viceroy of Naples, openly espoused the interests of the excommunicated republic. Sigismund, king of Poland, also declared that it was the cause of his kingdom ; and the duke of Savoy, that it was that of every sovereign in Christendom. The court of Vienna blamed the pope's conduct, and invited Sorance, the Venetian ambassador, to a procession of the holy sacrament, in despite of the apostolic nuncio, who refused to be present at it. The nuncio Barberini did not succeed better in France when he required that entrance into the churches should be prohibited the Venetian ambassador. Priuli. Abandoned thus at all the courts, and reduced to his own spiritual and temporal resources, the sovereign pontiff resolved to levy troops against Venice : happily for this papal army, Henry IV. offered his mediation, and ended the dispute,⁽¹⁾ on terms more favourable than Paul could have hoped for, although he had formed a ' board of war : ' it was in truth a committee of priests, and a perfectly novel application of sacerdotal functions.

Paul V. conspired to disturb England also, by two briefs, in which he forbade the catholics to take the oath of allegiance to their king James I : he renewed the bull ' *In cæna Domini*, ' and inserted it in the Roman ritual, accompanied by a surplusage of

(1) Bossuet, *Def. Cler. Gall.* l. 4, c. 12.

anathemas.⁽¹⁾ The pretensions of this pope gave rise to many publications on the pontifical power. The 8th of June, 1610, twenty-four days after the assassination of Henry IV. the parliament of Paris condemned to the flames a book in which the Jesuit Mariana permitted, nay advised, the attempting the lives of intractable kings. The 28th of November following, justice was done the treatise in which Bellarmin extends over the temporalities of princes the spiritual power of the popes.⁽²⁾

In 1614 the same parliament consigned to the flames a book, equally seditious, of the Jesuit Suarez. The court of Rome took a tender interest in these three works; that of Suarez is more frequently referred to in the correspondence kept up with the nuncio resident in France, in 1614: By what right does a parliament judge of points of doctrine? What does Suarez teach but the catholic faith? What dogma is more sacred than that of the sovereignty of popes over kings; direct sovereignty in religious matters, and not less efficacious though indirect in political ones? Even if some inaccuracies had glided into the book of father Suarez, did it not belong to the Holy See, alone, to perceive and ratify them? Such

(1) 'Pastoralis Romani pontificis vigilantia,' such are the first words of the bull 'In cænâ Domini,' renewed by Paul; it has thirty articles, that is, six more than the bull 'Consueverunt' of Paul III.—See page 203.

(2) Bossuet. Def. Cler. Gall. l. 4, c. 16.

is the substance, during one entire year, of the letters written in the popes name to his nuncio Ubaldini ⁽¹⁾ However, the civil authority found defenders in two Scotch men, William Barclay and John his son ; then in Anthony de Dominis, who did not spare the visible head of the church ; but, especially in Edmund Richer, who combated with more calmness the ultramontane opinions, and yet was not the less the victim of his zeal for the Gallican liberties. ⁽²⁾

Disputes with the dukes of Parma and of Savoy, the republic of Lucca, the Ligurians, and with the Swiss ; attempts on the Valtaline ; intrigues to support the inquisition at Naples, and to favour the Jesuits in Spain : these trifling details we shall dispense with, as generally tending but to prove the impotence of pontifical ambition from 1605 to 1621.

Urban VIII. who gave to the cardinals the title of ' Eminence,' refused to Louis XIV. that of king of Navarre. This refusal, of which there are other examples, had for its source the excommunication and deposition of John d'Albret by Julius II. ⁽³⁾ To support the sentence of Julius, the popes have been as silent as possible on this title of king of Navarre,

(1) Register of Letters from the Secretary of State of Paul V. to the bishop of Montepulciano, nuncio in France, 1613, 1614.—*In the Archives of the Empire.*

(2) Bossuet. *Def. Cler. Gall.* l. 6, c. 25.

(3) See p. 280.

in speaking of the kings of France, heirs to John d'Albret. The parliament refused registering any bulls in which they noticed this omission: Urban VIII. was particularly reproached with it. This pontiff being desirous to interfere in the differences of the courts of France and Spain, on the affair of the Valteline, he had the vexation to learn that these two powers had signed the peace without his knowledge. Nevertheless he succeeded in uniting to the Holy See the duchy of Urbino, with the counties of Montefeltro and Gubbio, the lordship of Pesaro, and vicariat of Sinigaglia: these domains were given him by the duke Francis Maria, the last branch of the house of Rovere. But cardinal Richlieu kept his eyes fixed on the designs of the pontiff; he refused an audience to the nuncio Scoti, and never suffered him to be ignorant, that the court of France would not consent to a dependence on the Holy See. The parliament had a publication of an Italian Jesuit, Santarelli, burned, which ascribed to the pope the right of deposing kings, condemning them to temporal punishments and loosing their subjects from their oath of allegiance.⁽¹⁾ The work of Peter de Marca, on the concord of the priesthood and the empire, appeared about this time, and so displeased the court of Rome that it refused to confirm the nomination of the au-

(1) See Bossuet. *Def. Cler. Gall.* l. 1, s. 1. c. 3, 4, 5, 6, and l. 4, c. 16.

thor to a bishoprick. De Marca had the weakness to modify his opinions at the pleasure of this court ; and in the sequel, coveting the cardinalat, he dictated, a short time before his death, a treatise to Baluze on the infallibility of the pope. Intriguing as he was learned, de Marca sacrificed his sentiments to his interests : the works of this writer are useful from the quotations and facts which they embrace.

A pope could no longer declare war but against petty princes. Urban VIII. did so with the duke of Parma, who had refused to the holy father's relatives the price of services he pretended to have rendered him. The duke is cited, excommunicated, his duchy of Castro taken possession of, which was obliged to be restored him, by treaty, after four years of disputing and fighting. But, this war, badly extinguished, recommended under Innocent X. the successor of Urban : and, because the duke of Parma could not pay soon enough the enormous interests due to the ' Mont-de-piete,' Castro was confiscated, sacked, and razed, by order of the head of the church : on the ruins of this city, a column was raised with this inscription, " Here Castro was." (1) When a terrible war in which two great states engage, two powerful princes, or two blind and numerous factions, leads to such disasters, humanity must lament it : but, when a pecuniary interest, an obscure and trifling

(1) Qui fu Castro.

quarrel between two petty rivals, leads to the destruction of a city, the depression of its inhabitants, and the ruin of their families, and that this useless devastation was coolly ordered by one who had conquered without danger, and almost without an effort, we are filled with more astonishment than indignation ; and we could not anticipate such gratuitous severity in a prince, if this prince were not a pontiff, and this pontiff not the successor of Boniface VIII. Yet, it is astonishing that the popes could have been so ignorant of their direct interest in husbanding the Italian cities, in attaching them to the Holy See by benefits, and finally, in restoring them that degree of prosperity and influence, which would enable them to contribute to the re-establishment in Europe of the pontifical dominion. Many popes of the sixteenth century acted on this policy ; and it is in consequence of its neglect by those of the fifteenth and seventeenth, that the temporal power of the Roman church seems henceforth doomed to languish and become extinct.

A revolution had placed on the throne of Portugal John of Braganza, or John IV. whose ancestors had been dispossessed by the king of Spain, Philip II. Philip IV. who languished in a disgraceful supineness, did not attempt to re-conquer the kingdom of Portugal by arms. The court of Madrid had recourse to the pope Innocent X. who refused bulls to the bishops nominated by John of Braganza, and declared he would never recognize this

new monarch. John consulted the universities of his States: they replied, if the pope persisted in his refusal, they had only to dispense with his bulls.— This was also the opinion of the assembly of the French clergy, interrogated on the same point by the Portuguese ambassador. This assembly did more, it wrote to the pope, respectfully representing to him, that it was but right to grant the bulls to the prelates named by John; by which perhaps the French clergy evinced too great an interest in foreign affairs; but it shews us what its views were of canonical institution, and the right to consider it as obtained, when refused by a vain caprice. Furthermore, Innocent at this period feared France and Portugal more than Spain: he therefore dispatched the bulls, and no longer contested with John of Braganza the title of king.

Innocent even detached himself so from the court of Spain, that to support the Neapolitans who had revolted against her, he invited the duke of Guise, a descendant of the princes of Anjou, former kings of Naples, to assert his claims on this kingdom, and endeavour to conquer it; but the pope kept none of his promises which seduced the duke; and this perfidy was one of the causes which prevented his success. We shall observe, that there did not exist at this period any sort of alliance or friendship between the courts of France and of Rome. Innocent X. having commanded all the cardinals to reside in the

capital of Christendom, with a prohibition to quit the territories of the Holy See, without the permission of the sovereign pontiff, the parliament of Paris annulled the decrees as unjustifiable; and cardinal Mazarin forbade the sending money from France to the Roman court. In reflecting on this last arrangement, the pope perceived he must relinquish the residence of the sacred college; but was consoled with the acquisition of the city of Albano from the duke Savelli.

But the most remarkable event of the pontificate of Innocent was, the opposition he presumed to make to the treaties of Munster and Osnabruck.—Long rivalries and bloody wars harrassed, and almost exhausted, Europe; these treaties were at length to terminate those disasters. But a bull arrives, in which the vicar of the lamb of God protests against the peace of the world, and in which he annuls, as far as in him lies, the concord of the christian republic. They have, he said, given up ecclesiastical property to the reformed; they have permitted to the reprobate the exercise of civil employments; they have, without the permission of the Holy See, encreased the number of electors; they have preserved privileges in the states to those who have ceased to have them in the church; the church abrogates these odious articles, these rash concessions, these heretical conventions. Innocent, no doubt, suspected, that war would afford more chances to the

court of Rome, and that the ecclesiastical power had nothing to gain by a peace which would restore to the secular governments more stability, activity, and interior prosperity : but he was too little acquainted with the period at which he published such a bull ; he did not perceive, that the pontifical ambition, before detested, was now only ridiculed ; and he compromised by a silly step, which they scarcely deigned to notice, the weak remains of the authority of his predecessors.

Not having undertaken a detailed history of all the pontifical intrigues, we shall take leave to be silent on the five propositions of Jansenius, condemned by Innocent X. and his successor Alexander VII. who ordered the signature of a formulary, long famous. These quarrels, already deplorable at the end of the seventeenth century, became so contemptible in the course of the eighteenth, that success or defeat was equally attended with dishonour. In dividing the clergy into two parties, almost equally disregarded, these wretched controversies weakened the influence of the priesthood, and consequently that of the first pontiff. From 1659, Alexander might have perceived the decline of his credit in Europe, when, after having attempted to mingle in the negotiations between France and Spain, he found they had treated without him. Nevertheless he ventured three years after to displease the most powerful monarch of the age. Crequi, the ambas-

sador of Louis XIV. at Rome, was insulted by the pontifical guard, which killed one of his pages and fired on the carriage of his lady. Obtaining no satisfaction of the pope or of his ministers, Crequi retired to the Florentine territories. Louis demanded a solemn reparation: and, not considering that adequate which he had been made wait four months for, he marched some troops against Rome, and took possession of the city and county of Avignon, which a decree of the parliament re-united to the crown the 26th of July 1663. Alexander did not let slip this opportunity of displaying against a great prince the spiritual and temporal arms, only until he had solicited in vain the support and concurrence of all the catholic states rivals of France. Then the Holy See prudently humbled itself, and the cardinal Chigi, nephew of the pope, came to make to Louis all the reparation which this monarch required. In Europe no high idea existed of the veracity of Alexander: "We have a pope," writes Renaldi, the ambassador of Florence at Rome, "we have a pope who never speaks a word of truth."⁽¹⁾ This pontiff died in 1664, leaving his family abundantly

(1) Mem. of Cardinal de Retz. vol. 5. p. 177, ed. of 1718. In support of this testimony of Renaldi, in our 2d vol. will be found a secret writing in which Alexander VII. contradicts his own public declarations. This document, of eight pages, is wholly in the hand writing of this pontiff, and is dated by him 18th of February, 1664.

enriched, and the Roman people loaded with nine new subsidies besides the old, which had been very scrupulously maintained.

After Clement IX. had suppressed for awhile the disputes excited by the formulary, and that the cardinal Altieri had, for the space of six years, peacefully governed the church under the name of Clement X. his uncle Odescalchi, or Innocent XI. bore with him to the chair of St. Peter more energy and ambition. He felt for Louis XIV. a personal enmity which he could not dissimulate, and which burst forth on two important occasions, that of the 'regale,' and that of the right of franchise.

The 'regale' was a right which the kings of France had for many centuries enjoyed, and which consisted in receiving the revenues of the vacant sees, and in nominating to the benefices dependent on the bishop. Some churches having attempted to emancipate themselves from this law, Louis, by an edict of 1673, declared that the 'regale' applied to all the bishoprics of the kingdom. Two bishops protested against this edict; those of Pamiers and of Aleth, known by their opposition to the formulary of Alexander VII. These two prelates, refractories to the decrees of the popes, were supported by Innocent XI. in their resistance to the will and rights of their sovereign. An assembly of the clergy of France, having adhered to the king's edict, and the pope having condemned this adhesion, the

heat of their disputes led minds on to an examination into the rights and pretensions of the pope himself, and the four celebrated articles of 1682 were produced.

That the ecclesiastical power does not extend to the temporals of sovereigns ; that a general council is superior to a pope, as decided by the fathers of Constance ; that the judgment of the pope in matters of faith is not an infallible rule, until after having received the approbation of the church ; that the laws and customs of the Gallican church ought to be maintained : such is the substance of the four articles. Innocent XI. condemned them ; he refused bulls to the bishops nominated by the king, and forgot nothing that might provoke a separation ; already a patriarchate was spoken of in France, independent of the court of Rome. ⁽¹⁾

Bossuet had been the principal compiler of the

(1) It is of Innocent XI. that Fontaine speaks in these lines, addressed in 1688 to the Prince de Conti :

Pour nouvelles de l'Italie
Le pape empire tous les jours---
Expliquez, seigneur, ce discours
Du côté de la maladie :

Car aucun Saint-pere autrement
Ne doit empirer nullement
Celui-ci, veritablement.
N'est envers nous ni saint ni pere, &c.

four articles ; the court of *Rome*, which wished to oppose to him an adversary worthy of him, offered the cardinalat to the celebrated Arnauld, if he would write against these four maxims. ⁽¹⁾ Arnauld replied to this proposal as to an insult : it became necessary to

IN ENGLISH.

As to the news from Italy,
The pope each day grows worse and worse.—
Upon the score of malady
Explain my lord this strange discourse.

In any other sense than this
So to decline would be amiss,
Yet much I fear the man you paint
Will prove to us no other father-saint.

Racine, in 1689, alluded to the same pope in these lines of the prologue of 'Esther :

Et l'enfer, couvrant tout de ses vapeurs funèbres,
Sur les yeux les plus saints a jete les ténèbres.

IN ENGLISH.

" And hell with darkness spreading all the skies
" Casts its thick film o'er the most holy eyes."

(1) Racine has noticed this circumstance in his *History of Port Royal*, 1st part. " Great cardinals," he says, " have not concealed the fact, that it depended on himself alone to be clothed with the Roman purple, and, that to attain a dignity which would have so gloriously washed away all the reproaches of heresy which his enemies have dared to make against him, it would have cost him nothing but to write against the propositions of the clergy of France relative to the pope's authority.

apply for defenders to an humbler rank, to the theologians of Louvain, to Gonzales general of the Jesuits, to Rocaberti the Dominican, Sfrondati the Benedictine, and to Aguirre, another Benedictine, who was rewarded with a red hat. Their writings are forgotten, but the 'Defence of the four articles,' remains among the number of Bossuet's best works. We must observe, it was not printed till 1730, a delay which can only be ascribed to the intrigues of a part of the clergy, already repentant for their firmness in 1682. A more correct edition of the work of Bossuet, and a French translation accompanied by notes, appeared in 1745, without privilege, and as issued from the press of Amsterdam. No direction of Louis XIV. if we except those of his will, has been worse executed than the edict by which he commanded that the doctrine of the four articles should be annually taught in the schools of theology. The Jesuits have never professed them, and the idea of abrogating them has been often entertained from the year 1700 to the end of cardinal Fleury's ministry. If this abrogation has not taken place it was, that they feared the

Far from accepting these offers, he even wrote against a Flemish doctor who had treated these propositions as heretical. One of the king's ministers who read this piece, charmed with the force of its reasoning, proposed having it printed at the Louvre; but the jealousy of M. Arnauld's enemies carried it against the fidelity of the minister and even the interest of the king."

remonstrances of the Jansenists, and foresaw the credit it would give them, by constituting them sole defenders of the liberties of the Gallican church. In the matter of the franchises Louis XIV. was perhaps wrong. The other catholic monarchs had relinquished this strange privilege, by which the palaces of the ambassadors, and even their precincts, offered an asylum to malefactors from the pursuit of justice. The king of France declared that he never took the conduct of others for his rule, but on the contrary, that he meant to serve as their example. His ambassador, Lavardin, in 1687, came to Rome to assert the 'Franchises' and affected to brave the pontiff by a pompous entry. The censures thundered against Lavardin irritated Louis XIV : Avignon was once more taken ; and these hasty disputes had led to a decisive rupture, if it were not possible to reconcile it with the severities exercised since 1685 against the protestants. The proscription of the Calvinists restored harmony in this delicate conjuncture between the court of France and the Holy See.

Avignon was restored to the successor of Innocent XI. Alexander VIII. who condemned equally the Four Articles of 1682. Innocent XII. after him, persevered in refusing bulls to the bishops, favourers of the four articles, and he obtained from them a letter which he accepted as a retraction. It said, in effect, " that all which might have been held decreed in 1682, on the ecclesiastical power, ought to be held as not de-

"creed, since they had no intention of making any decree, nor of doing prejudice to the churches."—Ambiguous words and most tortuously framed,⁽¹⁾ which assuredly do not tend to confirm the four articles, but which, on the other hand, would be quite insignificant, if they did not evince a disposition to abandon them. This letter, but little creditable, was one of the effects of the revocation of the edict of Nantes, one of the evidences of the decaying character of Louis the Great,⁽²⁾ and one of the proofs of what we have elsewhere⁽³⁾ asserted, the secret inclination which, since the year 1560, biassed the French clergy towards the ultramontane system.

Happily, the other orders of the state upheld with perseverance the four maxims of the clergy, against the clergy itself, and the interests of the throne, almost forgotten by the declining monarch. Among

(1) D'Aguesseau says that "the terms of this letter were couched so that it could only be considered as a testimony of the grief of these bishops, in learning the prejudice which this pope entertained with respect to them, in regard to what had passed in the assembly held at Paris in 1682. They did not avow that these pretensions were well founded." Whatever d'Aguesseau may say about it, the letter of these bishops does them no honour: it will be found in our second volume.

(2) We shall transcribe in vol. 2, the letter of Louis to the pope, announcing that the edict of March, 1632, would not be executed. This letter is dated, as is that of the bishops, on the 14th of Sept. 1693.

(3) See page 302.

the magistrates to whom the Gallican church owes the maintenance of her ancient doctrine; at this era, the advocate general Talon is distinguished, author of a treatise on the authority of kings in the administration of the church, one of the best works published on this subject. He professed the same principles in the exercise of his duties, and especially in a request preferred in 1688. We shall terminate this chapter by some extracts from this requisition.

“ In an assembly held on the subject matter of
 “ the regale, the bishops, aware that the ultramon-
 “ tane doctors, and the emissaries of the court of
 “ Rome, omitted no care to spread through the
 “ kingdom the new doctrines of the pope’s infalli-
 “ bility, and of the indirect power which Rome en-
 “ deavours to usurp over the temporal power of the
 “ king; this assembly, we say, does not pretend to
 “ make a decision on a doubtful point of contro-
 “ versy, but, to render public and authentic testi-
 “ mony to an established truth, taught by all the
 “ fathers of the church, confirmed by all the coun-
 “ cils, and especially by those of Constance and
 “ Basle.

“ We have seen however with astonishment, that
 “ the pope looks on this declaration as an insult
 “ offered to his authority; insomuch that the king,
 “ having nominated to the episcopacy some of those
 “ who were present at this assembly, and who are
 “ as meritorious from their piety and virtue as from

“ their knowledge and learning, of which they have
 “ on various occasions given proof, he has refused
 ‘ the bulls, under pretence that they do not make
 “ profession of a sound doctrine.

“ This refusal which has not the appearance of
 “ reason, does not fail to occasion great scandal, and
 “ to produce irregularities we can scarcely express.

“ Who could ever suppose that the pope, whom
 “ we have held up to us as the model of sanctity
 “ and of virtue, should remain so wedded to opinions,
 “ and so jealous of the shadow of an imaginary au-
 “ thority, that he leaves the third of the churches of
 “ France vacant, because we are not disposed to ac-
 “ knowledge his infallibility ?

“ Those who imbue the pope with these ideas,
 “ do they imagine they can make us change our
 “ sentiments ? and are they so blind, that they do
 “ not perceive we are no longer in those wretched
 “ times, when the grossest ignorance, united to the
 “ weakness of governments, and false prejudices,
 “ rendered the decrees of the pope so terrific, how-
 “ ever unjust they may have been ; and, that these
 “ disputes and bickerings, far from augmenting their
 “ power, can only serve to excite enquiry into the
 “ origin of their usurpations, and diminish rather
 “ than encrease the veneration of the people.

“ We shall say more : the bad use the popes have
 “ made on so many occasions of the authority of
 “ which they are the depositories, in prescribing no

“ bounds to it but that of their will, has been the
 “ source of the almost innumerable evils with which
 “ the church has been afflicted, and the most spec-
 “ ious pretext for the heresies and schisms which have
 “ sprung up in the last century, as the theologians
 “ assembled by direction of Paul III. honestly con-
 “ fessed, and even, at present, the idea alone of
 “ the infallibility and indirect power, which the com-
 “ plaisance of the Italian doctors confers on the See
 “ of Rome over the ‘ temporal’ of kings, is one of
 “ the greatest obstacles which is opposed to the con-
 “ version, not of individuals alone, but, whole provin-
 “ ces ; and we cannot too strongly impress, that
 “ these new opinions are no part of the doctrine or
 “ the universal church.....

“ The thunders of the Vatican have nothing terri-
 “ ble in them ; these are transient fires which go out
 “ in smoke, and which do neither ill nor prejudice
 “ but to those who launch them.

“ The refusal of the pope to grant the bulls to the
 “ bishops nominated by the king, causes a derange-
 “ ment which encreases daily, and which requires a
 “ prompt and efficacious remedy. The councils of
 “ Constance and of Basle having laboured to reduce
 “ to some moderation the usurpations of the court or
 “ Rome, and the confusion which was introduced in
 “ the distribution of benefices, the pragmatic sanction
 “ was subsequently compiled from the decrees of these
 “ councils. But the popes, seeing their authority

"diminished by it, exerted every artifice to cause
 "its abolition ; and by the concordat entered into
 "between Francis I. and pope Leo X., the mode of
 "appointing to the vacant sees and abbeys was re-
 "gulated : not only the devolution, or right of pre-
 "sentation by lapse, but the reversion, was granted
 "to the pope, with power to admit resignations in fa-
 "vour of individuals, and many other articles ; which
 "were very burdensome on the ordinary collators,
 "and altogether opposed to the ancient canons."

"Besides, our ancestors for a long period have re-
 "monstrated against the concordat : the ordonnance
 "of Orleans had restored the elections ; and it would
 "be very advantageous if all ecclesiastical affairs were
 "arranged in the kingdom, without being obliged to
 "have recourse to Rome. In the sequel, however,
 "the concordat was acted on faithfully by us, and
 "we cannot conceive that the pope by an invincible
 "obstinacy, wishes now to compel us to deprive him
 "of the advantages which the court of Rome derives
 "from a treaty so advantageous to it.....

"After all, those who, before the concordat, were
 "elected by the clergy and people, and afterwards
 "by the chapters, in presence of a king's commis-
 "sioner, were they not ordained by the metropolitan,
 "assisted by the bishops of the province, after the
 "king had approved of the election? The right
 "acquired by the king in the concordat, authorised
 "in this case by the tacit consent of all the Gallican

" church, and confirmed by a possession of near two
 " hundred years, ought so much the less be subject-
 " ed to change or attack, as, during the four first ages
 " of the monarchy, they did not resort to Rome to
 " ask for appointments to benefices; the bishops dis-
 " posed of all those which became vacant in their
 " dioceses, and our monarchs almost invariably nomi-
 " nated to the bishopricks; and, if they occasionally
 " granted to the clergy or the people, the privilege of
 " electing a pastor, they more frequently reserved the
 " selection to themselves; and without the pope
 " having any concern in it, those who they
 " elected were immediately consecrated. What
 " prevents us from following these examples, founded
 " on this excellent principle, that the right, which all
 " the faithful had originally in the appointment of a
 " head, when it could no longer be so exercised,
 " should pass into the hands of the sovereign, on
 " whom the people had conferred the government of
 " the state, of which the church is the nobler
 " part."

" But, with respect to the pope, since he declines
 " to grant to the king's nomination the concurrence
 " of his authority, we may presume that he is de-
 " sirous of relieving himself from a part of the painful
 " burden which oppresses him; and, that his infir-
 " mities not permitting his extending his pastoral vigi-
 " lance over every part of his universal church, the lapse

"which sometimes takes place in cases of negligence, even of the superior to the inferior, may authorize bishops to confer the imposition of hands on those whom the king shall nominate to the prelacies."

CHAPTER XI.

EIGHTEENTH CENTURY.

IF the temporal power of the popes has subsisted later than the year 1701, it is principally because no one was concerned to accelerate its inevitable fall. Placed between Milan and Naples, as a barrier to the preponderance of either Austria or the Bourbons over Italy, the feeble States of the Holy See seemed to belong to the political system of Europe, and to contribute to the maintenance of the general equilibrium. Each prince being interested in not suffering another to invade them, all concurred to retard a revolution, which the progress of general knowledge would soon bring about, which would be accomplished of its own accord, from the moment they would cease to prevent it, and which, at a future time, other circumstances perhaps would render more reconcilable with the situation of European affairs.

Besides the general cause which we have pointed out, three particular causes have perpetuated, during

the eighteenth century, the temporal sovereignty of the Roman pontiffs; at first, the ill-enlightened devotion of Louis XIV. from 1700 to 1715; in the second place, the influence of the Jesuits, as well during these first fifteen years as under the ministry of cardinal Fleury from 1726 to 1743; finally, the wisdom of the two popes, Lambertini and Ganganelli of whom the one governed the church from 1740 to 1758, the other from 1769 to 1774. If, like these two, the other popes of the eighteenth century had known how to manage and circumscribe their power, they would have preserved, perhaps confirmed it: but they aspired to aggrandize it, the spiritual arms have continued to serve as instruments to pontifical ambition; while they have dared to reproduce the silly doctrines of the supremacy and infallibility of the popes; and the Holy See, which might have remained a power of the third order, has fallen even below this rank in aspiring to reassume the first.

Clement XI. taking advantage of the circumstances in which the king, the clergy, the government, and the people of France found themselves, published the bull 'Vineam Domini' in 1705, the bull 'Unigenitus' in 1713. It is well known what an uproar the latter excited; ⁽¹⁾ the Holy See and the Jesuits had the misfortune to triumph; a defeat had been less

(1) The bull 'Unigenitus' is one of those in which the king of France is not designated 'king of Navarre.'

injurious to them than such a victory. Clement XI. nevertheless conceived so high an idea of his own power, that he engaged in a long dispute with Victor Amadeus king of Sicily: he re-claimed over the Sicilies the same rights in the 18th century, which had been relinquished by Urban II. a pope of the eleventh, and the almost immediate successor of Hildebrand; he confirmed the excommunications launched by the Sicilian bishops against the magistrates of this country; he abolished by a constitution, in 1715, a tribunal which for six hundred years had exercised the right of deciding sovereignly, within this kingdom, many kinds of ecclesiastical affairs.—But this constitution which attacked a prince, had not the success of the ‘Unigenitus’ which a monarch was pledged to support. Clement died without having humbled Victor Amadeus.

At the instigation of the Jesuits, Benedict XIII. in 1729, re-canonized the much celebrated Hildebrand, whom Gregory XIII. and Paul V. had already inscribed in the catalogue of the blessed. The liturgy was enriched by benedict XIII. with an office to be celebrated the 25th of May each year, in honour of St. Hildebrand or St. Gregory VII. A legend inserted in this office relates the high achievements of this exemplary pontiff: “how he
“knew how to oppose with generous and athletic
“intrepidity, the impious attempts of the emperor
“Henry IV. how, like an impenetrable wall, he de-

“ fended the house of Israel ; how he plunged this
 “ same Henry in the deep abyss of misery ; how
 “ he excluded him from the communion of the faithful, dethroned him, proscribed him, and absolved
 “ from their duty towards him the subjects who had
 “ pledged fidelity to him.” Such are the christian words which Benedict XIII. directed to be recited or sung in the churches, for the edification of the faithful and instruction of kings. But the parliament of Paris took offence at this very pious legend, condemned it as seditious, and forbade its publication.—The parliaments of Metz, of Rennes, and Bourdeaux, opposed themselves, not less vigorously, to the insertion in the breviaries of this novel style of praying to God. There were even French bishops, those of Montpellier, Troyes, Metz, Verdun, and Auxerre, who would not recognize this new supplement to the divine office, and published directions, to refuse expressly the worship of St. Hildebrand. It may be proper to observe, that Cardinal Fleury, who then ruled France, abstained from mingling his voice with that of those who remonstrated against this canonization : in truth, he did not take up more openly the defence of the legend ;⁽¹⁾ but he knew where

(1) He contented himself with neutralizing as much as he could, the effects of the resistance of the bishops, and the resolutions of the parliament. The 18th of February 1730, he wrote to the council “ that it sufficed in the present circumstances that “ the essential, that is, the maxims of the kingdom be secured. “ Prudence requires that we seek not to encrease the evil rather

to find the members of the parliament who had rejected it, he obliged them to register, on the 3rd of April 1730, without any modification, the bull 'Unigenitus', which was not a whit more pleasing to them. In France then they were quit for this bull; and the government did not compel the celebration of the sainted pontiff who had dethroned an emperor. Benedict was obliged to content himself with establishing this devout practice in Italy, where, since 1729, all the churches pay religious adoration annually to Gregory VII. The sovereigns of Europe are either ignorant of it, or disdain to complain of it.

"than cure it. 'The king desires especially that no mention be made of the mandate of the bishop of Auxerre; he ought to know that it was his duty, before its publication, to have made himself acquainted with the intentions of H. M. on so delicate an affair, and have come to concert the mode in which it should have been expounded,'"

In a letter to the first president, dated 24th of February, the same year, Fleury testifies 'much joy' that kings passed off so well in the parliament with respect to the decree by which the briefs of Benedict XIII. had been condemned and suppressed; but the cardinal adds: "I have forgotten to represent to you, that it would not be suitable that this decree should be cried about the streets, for fear of wrong interpretations, and the noise that the ill-disposed might make about it."

We cannot avoid remarking, that in this affair the bishop of Auxerre and the parliaments defended the rights of the throne and the independence of the royal authority, and that their opponent was the prime minister of the monarch. Behold the peril to which a young prince was exposed in yielding such unlimited confidence to a cardinal.

After Benedict XIII. Clement XII. reigned ten years ; an economical and charitable pontiff, who did good to his subjects, and little ill to foreigners. His successor Lambertini, or Benedict XIV. merits greater praise : he was one of the best men and wisest princes that the eighteenth century produced. He mounted the chair of St. Peter the same time as Frederick II. the throne of Prussia ; and for eighteen years they were the two sovereigns the most distinguished by their personal qualifications. Frederick, separated as he was from the communion of the Holy See, rendered to Benedict those testimonies of esteem which did honour to both. Lambertini inspired the schismatic Elizabeth Petrowna, empress of Russia, with similar sentiments ; and the English, attracted to Rome by the celebrity of this pontiff, as well as by the love of the arts, of which he was the protector, praised him with enthusiasm when they wished to paint him with truth. His amiable mind and gentle manners obtained the more approbation, from his knowing how to combine the talents and the graces of his age, with the austere virtues of his office, and the practice of every religious duty. Benedict XIV. had reconciled Europe to the papacy : in beholding him, it were impossible to recall to memory a Gregory VII. an Alexander VI. or even a Benedict XIII. His evangelical toleration confirmed, in a reasoning age, the pontifical throne, shaken by the restless ambition of his prede-

cessors; and his successors had needed only to have copied his example, in order to secure their temporal enjoyments by the benefits of their pastoral office.

But he was succeeded in 1758 by Rezzonico, whose narrow mind and incurable self-sufficiency, plunged again the Roman court into the most fatal disrepute. He was a second Benedict XIII. a pope of the middle ages, cast by mistake into the midst of modern knowledge, inaccessible to its influence, and even incapable of perceiving its presence. When Portugal, Spain, France, and Naples, bitterly accused the Jesuits, and got rid of them but too late, Clement XIII. persevered in upholding and falling with them; he seemed to connect with the cause of the Holy See, that of a society whose rebellion monarchs would no longer endure. In Portugal they had attempted the life of the king, and three Jesuits were among the number of those detected; the court of Lisbon asked permission of that of Rome to try them in the same manner as their accomplices, by the ordinary tribunals; Clement would not allow it. They were obliged to accuse one of the three Jesuits, Malagrida, of heresy, not of high treason; to seek in writings he had before published, for certain mystical errors and extravagant visions, and to deliver him to the inquisition, which had him burned as a false prophet, without deigning to question him as to the attempt on the

life of the monarch. It was impossible to accumulate more fully all the iniquities calculated to rouse the indignation of Europe. Priests suspected strongly of the most horrible crimes escaped from the secular tribunals, the throne was not avenged, but the inquisition burned a poor enthusiast; Rome exacted the impunity of a parricide, and Malagrida, without a trial, perished the victim of superstition, and of a detestable policy.

About the same time Ferdinand of Bourbon, duke of Parma, reformed the inveterate abuses in the churches and monasteries, and disregarded the rights which the pope arrogated to himself, of conferring benefices, and deciding all suits in the territories of Parma, Placentia and Guastalla. Clement assembled the cardinals: in the midst of them he condemned as sacrilege all the acts of Ferdinand's administration; he declared unlawful whatever he had dared to do in a duchy which appertained to the Holy See "in ducatu nostro;" he annulled the edicts published by the dukes; he directed the anathemas of the 'holy thursday bull', "in cœna Domini," against those who drew up these edicts, those who executed them, and whoever adhered to them. Ferdinand, by new decrees, suppressed the pope's brief and banished the Jesuits. Naples, Venice, Spain, Austria, France, all Europe, took up the duke of Parma's cause against the holy father. The brief is condemned as invasive of the independent

rights of sovereigns ; the parliament of Paris extends this condemnation to the bull of ' holy thursday ;' and, while the king of Naples makes himself master of Beneventum and Ponte Corvo, Louis XV. like Louis XIV. resumes possession of the Comtat Venaissin ; the parliament of Aix declares this territory to belong to France, and the count de Rochecouart arrives, and thus addresses the vice-legat, governor of Avignon : " Sir, the king commands me " to replace Avignon in his hands, and you are so- " licited to withdraw : " this was the usual formula in such cases. They spoke also of obliging the pope to restore Ronciglione ; Portugal thought of appointing for herself a patriarch : the Romans themselves murmured ; and they had in all probability taken very decisive measures, if Clement had not departed this life the 3d of February 1769, ⁽¹⁾

(1) The 19th of June 1768, he wrote, with his own hands, to Maria Theresa, to implore the assistance of this princess against the other sovereigns of Europe. " Thank God," said he, " we have resisted with a sacerdotal heart unworthy col- " lusions, and behold wherefore those arms are directed " against the church, with which sovereigns are only armed to " defend her ; behold the cause why they dare to attack with " arms in their hands the pastor of the flock of Jesus Christ, " even to seduce the people from the authority of their only " legitimate sovereign, to invade our states, and a *patrimony*, " which is not ours, but that of St. Peter, of the church, and of " God." He alludes to Beneventum, Ponte-Corvo, Avignon, &c. and these domains he here calls in direct terms, ' the pa-

and had not had for his successor the sage and modest Ganganelli.

The conduct of Ganganelli or Clement XIV. was so judicious and so pure that Avignon, Pontecorvo, and Beneventum, were restored to him. The prejudices, but too legitimately entertained against the court of Rome, once more began to yield, in the minds of both sovereigns and people,

trimony of God.' We transcribe these lines from one of the ten authentic registers which contain the letters of Clement XIII. to the sovereigns. These letters contain the pleadings on behalf of the Jesuits, for the bull 'In cœna Domini,' and for the omnipotence of the Holy See: invectives against the Jansenists, the parliaments and laical authority; much lamentations, mysticisms and trifles.

We shall publish in our Second Volume, the allocation pronounced by the same pope, the 3d of September 1762, in secret consistory, to abrogate all the acts of the parliaments of France against the Jesuits. This manuscript was found enclosed in a sealed paper, on which was to be read the following note of the keeper of the Archives, Garampi:

"Allocation which his holiness, our lord the pope, held in
 "his secret consistory, the 3d of September 1762, in abrogation
 "of all the acts and proceedings of the parliaments of France for
 "the expulsion of the Jesuits; which his holiness commanded
 "me to preserve sealed in the office of Archives in the castle of
 "St. Angelo with the secrets of the holy office, and which was
 "to be opened by no one without the special authority (oracolo)
 "of his holiness, or of his successors.....In faith, this 24th
 "day of August 1763." Joseph C. Garampi, prefect of the
 "secret office of Archives of the Vatican, and that of the cas-
 "tle of St. Angelo, with my proper hand.

and the temporal power of the popes began again to appear compatible with the peace of Europe. Two great acts have peculiarly done honor to this pontificate; the bull 'In cœna Domini,' and the suppression of the Jesuits. This society had existed now two hundred and thirty years, and had never ceased to be the enemy of kings and people. The particular interests which it cultivated attached it only to the court of Rome; it embraced by its establishments every country subject to the Holy See, and recognized itself, no other country save the church, no other sovereign but the pope. Its ambition was to exercise, under the protection of Rome, an active influence over courts, families, the clergy, youth, and literature. Having become odious since 1610, by serious and unjustifiable enterprises, it felt the necessity of uniting, with its political intrigues, the affectation of learned labour and literary employment. We behold it devoting itself to public education, and cultivating every department of literature, obtaining scarcely in any an eminent distinction, but producing in almost all a great number of men who filled and did honour to the second rank. This success restored it, and conferred on it a power which it abused in various ways from 1685 to 1750: and its fall, demanded by the people and determined by kings, might have drawn after it that of the temporal power of the popes, if Ganganelli had not detached

the interests of the Holy See from those of the Jesuits, and, finally, consummated their abolition. When he died, some months after their suppression, they were accused of having shortened his days. If it were true that he fell the victim of their implacable resentment, as is generally believed, they have by this last crime hastened by many years the extreme decrepitude, and hour of dissolution, of that pontifical power of which they had been the supports. Apparently they were unwilling it should survive them; they immolated the man who alone rendered it tolerable. Since the year 1774, it has done little else than wander about, exhaust itself, fall into agonies, and expire.

CHAPTER XII.

RECAPITULATION.

CHRISTIANITY had for a period of seven hundred years, glorified God, sanctified man, and given consolation to the earth, before any minister of the gospel ever thought of erecting himself into a temporal prince. This ambition sprung up in the eighth century, after the dissolution of the Roman empire, and the ravages of the barbarians, in the bosom of universal ignorance, and of troubles which overturned Europe, but in an especial manner rent and divided Italy. But the popes had scarcely obtained the exercise of a precarious civil power when, corrupted by functions so foreign to their apostolic ministry, unfaithful vicars of Christ and of the sovereign, they aspired to be no longer dependent, and speedily to rule. Menacing in the ninth century and dissolute in the tenth, the pontifical court had weakened itself by the publicity of its vices, when the stern Gregory VII. conceived the idea of a universal theocracy : an

audacious enterprize, weakly sustained by most of the pontiffs of the twelfth century, but which Innocent III. realized at the opening of the thirteenth; this is the era of the greatest display of the spiritual and temporal supremacy of the bishops of Rome.— Their residence within the walls of Avignon in the fourteenth century, and the schism which was prolonged to the middle of the fifteenth, abated their power and even their ambition; after the year 1450, the popes no longer thought of any thing but the aggrandizement of their families. Julius II. came too late to attempt anew the subjugation of kings; his successors during the sixteenth century, to prevent being too much humbled themselves, had need of an address which those of the seventeenth did not inherit; and the fall of the temporal power of the popes has been only retarded, since the year 1700, by the wise conduct of two pontiffs and the little attention which the errors of others claimed.

The political revolutions which followed the dethronement of Augustulus; the elevation of Pepin to the throne of France, and of Charlemagne to the empire; the weakness of Louis le Debonnaire, and the partition of his states among his children; the imprudence of some kings who solicited against one another the thunders of the Vatican; the fabrication of the decretals; the propagation of a canonical jurisprudence contrary to the ancient laws of the church; the rivalry of two houses in Germany;

the schemes of independence adopted by some Italian cities; the crusades, the inquisition, and the innumerable multitude of monastic establishments: such were the causes which produced, confirmed, extended, and for so long a period sustained the temporal power of the popes, and favoured the abuse of their spiritual functions.

This power had for its effects the corruption of manners, the vices of the clergy, heresies, schisms, civil wars, eternal commotions, the deepest misery in the states immediately under the government of the popes, and the most terrible disasters to those which they aspired to rule. The popes of the first seven centuries generally set an example of the Christian and sacerdotal virtues: the generality of their successors have proved bad princes without being good bishops. We have rendered our homage to some: for instance, to a Gregory II. in the eighth century; a Leo IV. in the ninth; to Calixtus II. Honorius II. and Alexander III. in the twelfth; to Nicholas V. in the fifteenth; to Leo X. in the sixteenth; and to Benedict XIV. and Clement XIV. in the eighteenth. We would have been pleased in having much more opportunity to praise; but when we reflect on the confused mixture of the sacred ministry with political power, upon this amalgamation so calculated to deprave both of these heterogeneous elements, we are not astonished at finding much fewer good governors in the catalogue of

popes than in the list of any other description of sovereigns.

All these bitter fruits of pontifical dominion have contributed to destroy it: eventually, so many abuses, excesses, and scandals, rendered Christian Europe justly indignant. But, causes more direct, and which we have in succession noted, have since the middle of the thirteenth century shaken the edifice of this intolerable tyranny: let it suffice that we here recall a few of them; the holy opposition of Louis IX. the firmness of Philip the Fair; the frenzy of Boniface VIII. the irregularities of the court of Avignon; the schism of the West; the pragmatic sanction of Charles VII. the restoration of letters; the invention of printing; the despotism of the popes of the fifteenth century; the ambitious designs of Sixtus IV. the crimes of Alexander VI. the ascendancy of Charles V. the progress of heresy in Germany, England, and other countries; the troubles in France under the son of Henry II. the wise administration of Henry IV. the Edict of Nantes; the Four Articles of 1682; the dissensions arising from the formulary of Alexander VII. and the bull, 'Unigenitus,' of Clement XI.; lastly, the Quixotic enterprises of Benedict XIII., Clement XIII. and other pontiffs of the eighteenth century. No! the Papal power can never survive so much disgrace: its hour is come; and there remains no alternative to the popes, but to become, as they had

been during the first seven centuries, humble pastors, edifying apostles : it is a destiny abundantly noble.

Once relieved from the burden of temporal affairs, and devoted to their evangelical ministry, they would be so much the less tempted to abuse their sacred office ; as there exists to bound their spiritual authority, efficacious means which have been taught by experience. It would even be superfluous to revert to the decrees of the councils of Constance and Basle ; or to the pragmatic sanction of 1439 : the Four Articles of 1682 are sufficient.⁽¹⁾

The king of France, Henry IV. had given the example of another security against the pontifical enterprises, when, by his edict of Nantes, he permitted the free exercise of a religion which was not that of the state, and of which he had the happiness to acknowledge and abjure the errors. Toleration of all modes of adoring the Deity is a debt due from sovereigns to their subjects : the gospel which directs the preaching of truth, and the enlightening those who are in error, forbids by this very act itself the persecuting of them ; for persecution must rather confirm in heresy or extort hypocritical abjurations, which deprave morality and outrage religion. All the Christian kings who have harassed religious sects, have been in their turn disturbed by

(1) See p. 364, 365.

the popes, and obliged to resist them: St. Louis himself did not escape this just ordination of Providence. To know how far a prince yields to the yoke of the pontiffs; we have only to look to what degree he limits the consciences of his subjects; his own independence is to be measured by the religious liberty which he permits to them: it is necessary, if he wish not to be subjected himself, that he inflexibly refuse to priests, or to the prince of priests, the proscription of modes of worship which differ from the dominant church.

The liberty, or if you please, the toleration of these various professions, supposes in those who exercise them the perfect enjoyment of every right, civil and political, granted to other subjects; whence it follows, that legislation should altogether detach from the religious system the particular situation of individuals, and consequently the circumstances of births, marriages, divorces, burials, which tend to determine it. Here the ecclesiastical office is confined to exhorting the faithful to the observance of certain precepts, or to religious advice, and administering to them the rites of the church or the sacraments, instituted to sanctify the various periods of human life. It is to civil legislation, and to it alone, can belong the establishment of offices purely civil to verify these acts, to invest them with the forms it has prescribed, and which ought to ensure the public authenticity of them, and guarantee all their effects. Now such a le-

gislation is in itself one of the firmest barriers against ecclesiastical usurpation, and the fatal influence which the head of the clergy would willingly exercise in the bosom of empires and of families.

The history of the first ages of Christianity would, perhaps, point out other preservatives against the pontifical ambition. It should be the endeavour to substitute the ancient laws of the church, in place of those of the middle age, framed to give a separate interest to the clerical body, and render it devoted to the court of Rome, in loosing it from all domestic and patriotic ties. We must avow that these delicate reformations should be matured by time, and carried into effect with circumspection : it is requisite that, induced by public wish, and as it were enacted by public opinion, they should be previously agreed upon, and looked for with hope before being established. But, to submit to a regime purely civil all the circumstances which determine the personal state, to tolerate the various modes of worship which may desire peaceably to exist around the established one ; to render to the articles of 1682 the most sacred authority ; and, above all, to abolish for ever the temporal power of the popes ; these four steps, as easy as they were salutary, have been but too long deferred : no obstacle, no fear, no anticipation, can advise to defer them ; and without doubt they will for a long period be sufficient to prevent the principal abuses of the spiritual office.

Among these abuses, however, there are two that we conceive it our duty to point out more particularly: the one consists in excommunications, the other in the refusal of canonical investiture.

Although the Christian churches were only individual associations, they ought to possess the right of excluding from their bosom vicious or dissentient members, who, by their scandalous conduct or discord, disturbed the sacred harmony of those assemblies. From this so natural right, the exercise of which had for a long period been as gentle as it was secret, sprung up, in the middle ages those thundering anathemas, which shook thrones and overturned empires. It was no longer either vice or error which was excommunicated: the sacred thunder served only to avenge the temporal interests of the clergy and of the sovereign pontiff. Who can particularize the number of emperors, kings, and other princes who, from the eighth century to the eighteenth, have been struck by this, often formidable, arm? To confine ourselves to the very-christian kings of France, we may count, between Charlemagne and Louis the Just, twelve sovereigns who have suffered ecclesiastical censures: in the ninth century, Louis-le-Debonnaire and Charles the Bold; in the tenth, Robert; in the eleventh, Philip I.; in the twelfth, Louis VII. and Philip Augustus; in the sixteenth, Louis XII. Henry II. Henry III. and Henry IV. Now of all these excommunicated kings

Henry the IV. alone could have been accused of heresy : the orthodoxy of the others was without reproach; there was no question but that of their political relations with Rome, and the independence claimed for their crown. But, the excessive, the profane use of these anathemas, brought them into such discredit, that in the present day it would be as ridiculous to fear them as it would be to renew them.

Stripped of all temporal power, and become the subject of one of the princes of Europe, will the pope excommunicate his own sovereign? Such audacity or extravagance is not by any means probable. It is true that past ages offer examples of it; but, at the present time, too just an idea is formed of such anathemas; it would now be regarded but as a seditious libel, a public instigation to revolt, an insult on the majesty of the sovereign and of the laws, a penal though an impotent attempt.

Will the sovereign under whom the pope shall live, permit him to excommunicate foreign princes, whether allies or enemies? we cannot imagine such an imprudence. We have, no doubt, beheld monarchs thus direct against their rivals those spiritual arms which were soon after turned against themselves: but experience has sufficed to deter them from a description of warfare as uncertain as it is ungenerous. Besides, where shall we now find a nation, a mob even, ignorant enough not to be aware that they

are only expressive of pontifical caprice or spleen, or a puerile regret for some foolish prerogative ?

In fine, will the sovereign of the pope permit his other subjects, magistrates, public officers, or private individuals, to be struck by ecclesiastical censures ? we will never suppose it. In a regulated state every condemnation is pronounced in the name of the prince, by the officers specially appointed for this description of judicial functions ; and no public censure should emanate from an authority foreign to his.— Let us add, that from the moment the church becomes incorporated with the state, it ceases to be a distinct association : Christianity becomes an institution recognized by the laws ; and the acts of the religious ‘ regime,’ from the time they require publicity, belong to the general administration. Thenceforward if it belong to the bishops, the pope, or the councils, to condemn dogmatical errors, without the intervention of the sovereign, at least their persons remain under his protection, and ought not to be officially marked out or disgraced, but agreeable to the forms prescribed by him.

It now remains for us to speak of canonical institution.

That each newly elected bishop should pay homage to the head of the church, is an act of communion with the Holy See extremely commendable. That the nominator of this bishop should be expressly approved by the pope, is a practice calcu-

lated to draw closer the ties which ought to connect the first pastor with all the others. That the pope should even profit of this circumstance to examine the qualifications of the elected, and to remonstrate against an improper choice, is also a security of the honour of the clergy and the discreet administration of the dioceses ; it is also a means of enlightening the religion of the prince, and providing against surprise or error. But, that the pope should refuse investiture to a prelate whom the sovereign thinks irreproachable, or that, from considerations foreign to the person of the individual elected, from motives merely political, or, because of certain differences between the sovereign and the pope, the latter should persevere in withholding all canonical investiture ; so criminal an abuse of a respectable office authorizes a reversion to the ancient privilege of nomination. We have collected, in concluding the tenth chapter, the principles professed on this head by the advocate general Talon at the close of the seventeenth century ; about which time Bossuet traced the origin of bulls of investiture and acknowledged their novelty. “ As the pope,” he says,⁽¹⁾ “ gives “ bulls for the investiture of bishops, Bellarmin fixes “ on this point, which he exhibits as an important “ proof in favor of his opinion. But he does not “ condescend to observe how modern this practice

(1) *Def. of the Clergy of France*, l. 8. c. 15.

“ is, and how often the church has united with the
 “ Greeks and other Orientals, yet leaving them in
 “ full possession of their ancient customs, and with-
 “ out obliging them to look for bulls.....The church
 “ of Carthage possessed the absolute right of or-
 “ daining the bishops dependent on it, as also the
 “ bishops of Ephesus, of Cesarea in Cappadocia,
 “ and Heraclia. Our Gallic churchés and those of
 “ Spain enjoyed the same privilege.”

These two authorities, Talon and Bossuet, might suffice ; but it may not be useless to establish on this important point a chronological series of facts and of evidence.

We read in the Acts of the Apostles,⁽¹⁾ that the bishops are appointed by the Holy Ghost to rule the church of God : neither this verse of Scripture, nor any other sacred text, makes mention of the pope as a universal pastor by whom all the rest are to be ordained. We should vainly seek for the slightest vestige of a bull of ordination, granted by the sovereign pontiff to the bishops of the earlier ages : for example, to St. Cyprian, St. Chrysostom, St. Basil, St. Ambrose, or St. Augustine. St. Cyprian, on the contrary, having adopted an erroneous opinion, was scarcely in communion with the pope. The Council of Nice⁽²⁾ directs that each diocesan

(1) C. xx. v. 28.

(2) Can. 4. Council. Hord. vol. 1. Col. 783.

bishop may be confirmed by his metropolitan or archbishop; a regulation which leaves no pretext for supposing that the bishop of Rome had, in this respect, any function to perform. Three popes of the fifth century, Zosimus, Leo the Great, and Gelasius, have spoken of the installation of prelates, claiming for the metropolitan, and for him alone, the right of investiture. Zosimus⁽¹⁾ says, that the Apostolic See itself ought to respect this prerogative of the metropolitans. That a bishop should be required by the people, elected by the clergy, consecrated by the bishops of the province, under the presidency of the metropolitan, is all that is insisted on by Leo I.⁽²⁾ and lastly, Gelasius⁽³⁾ decides, that when the metropolitan is dead, it belongs to the provincial bishops to confirm and consecrate his successors. A council of Toledo in 681,⁽⁴⁾ confers the same right on the bishop of the metropolis; and this doctrine was so well established in Spain, that before the thirteenth century, the bishops of this kingdom had never applied to the pope for bulls of investiture or confirmation.⁽⁵⁾

Potestas sane vel confirmatio pertinebit per singulas provincias ad metropolitanum episcopum.

See a like regulation in the twelfth canon of the Council of Laodicea.

(1) Epist. 7.

(2) Epist. 8.

(3) Epist. ad Episco. Dardan.

(4) Canon 6.

(5) Many authors fix the origin of this pretension of the pope in the pontificate of Alexander III, 1159, 1181.

It is nevertheless to the eleventh century we may trace up in many churches the custom of an oath, by which each newly elected prelate bound himself " to defend the domains of St. Peter against every aggressor ; to preserve, augment, and extend, the rights, honours, privileges, and powers, of the lord pope and his successors ; to observe, and with all his power cause to be observed, the decrees, ordo-

"We may easily suppose," they add, " that the metropolitans of Germany, and especially those who are also electors of the empire, have borne with much unwillingness this great diminution of their rights, with respect to the confirmation of the new bishops, elected in their respective provinces ; and the grievances drawn up at Constance under the emperor Sigismund, by the deputies of the provinces of Germany, and laid before the Council of Constance afterwards, by deputies of the same nation, as Galdart relates, clearly evinces : [here follows what we read in the 3d chapter] : " Every time that it becomes necessary to proceed to an election, after it shall have been terminated, let it be examined according to legal form by the immediate superior ; and, if found canonical, let it be confirmed ; and let not the sovereign pontiff be allowed in any way to attempt any the smallest thing to the contrary, unless that the elected be immediately subject to him ; in which case he may intimate his prohibition ; or, unless they have acted in some way contrary to the regular forms : in such case, as he is bound to the observance of the law, so is it allowable to him when any thing is done contrary to that law, or attempted to be done, to reform it, and even correct and punish the transgressors. We have before proved, that this latter power belongs to the sovereign pontiff of common right. Although the council of Constance in the 36th session, to prevent the peace of the church being disturbed, ratified the confirmation of bishopricks, made by

“ nances, reservations, provisions, and directions
 “ whatever, emanating from the court of Rome ; to
 “ persecute and combat heretics and schismatics to
 “ the utmost extremity, with all who will not render
 “ to the sovereign pontiff all the obedience which
 “ the sovereign pontiff pleases to exact.” This
 oath, who can believe it ? has been taken by
 bishops whose sovereigns were not catholic princes.

“ popes whom it deposed shortly after ; and, although it directed
 “ the expediting and signing in its name the bulls which had ne-
 “ ver been given to bishops who had abdicated, or who were dri-
 “ ven from their sees ; it, nevertheless, thought seriously at
 “ the same time of reducing the confirmation of bishops to the
 “ terms of the ancient law, since, in the decree of the 40th ses-
 “ sion, by which it prescribed to the pope who was about to be
 “ elected, by way of salutary caution, many points of the great-
 “ est importance, to which in the sequel a better form was to
 “ have been given, it inserted in the 5th article that of the
 “ confirmation of electors. But what the council of Constance
 “ only premeditated, we know that the council of Basle carried
 “ more fully into effect : for, after having annulled the reservation,
 “ as well general as particular, it only allowed, that in cases
 “ where the church or the commonweal might suffer damage,
 “ the sovereign pontiff might be resorted to for the confirma-
 “ tion of canonical elections ; adding, that if the confirmation
 “ was refused at Rome, the new election should devolve on the
 “ chapters. For the rest, it clearly directs, that the elections
 “ be made without impediment ; and confirmed after examina-
 “ tion, agreeable to the disposition of the common law. The
 “ grievances of Mayence, drawn up after the council of Basle
 “ in 1440, and reported in Scakenburg under the term ‘ pro-
 “ ject of a concordat’ are entirely in unison with these com-
 “ plaints ; they explain the meaning of these words ‘ accord-
 “ cording to the disposition of the common law,’ when they

How are we to conceive that sovereigns, catholic or not, could have allowed their subjects to enter into engagements so opposed to the good order of society at large:—it was complained of in Hungary, in Tuscany, and in the kingdom of Naples; and the prelates of Germany placed restrictions on this formula. But it is in itself so revolting, and besides so foreign to the discipline of the ten first centuries of the church, that we cannot believe they mean se-

“assert, that according to common right, the privilege of confirming elections should be restored to the immediate superior: the election being terminated, they say, the decree of election ought to be presented to the immediate superior, to whom belongs the right of confirmation; this superior ought, in this matter, examine with care the form of the election, the merits of the elected, and every other circumstance relating thereto; so that if the election ought to be affirmed, it may be so judicially. The father of the diocesan synod of Freisingen in Bavaria adopted, in the same year 1440, these projects of the States of the Empire, &c.

“Some French authors have observed how the public and notorious dissensions between pope Innocent XI. and Louis XIV. seemed to present a favorable opportunity for re-establishing the ancient discipline, and for terminating this shameful subjection, which drew after it the obligation of soliciting and obtaining pontifical bulls for consistorial benefices. By so doing, there would not only remain in the kingdom immense sums of money, now sent every year to Rome, but the bishops would again enter into their ancient rights, and the clergy, as well regular as secular, would be in consequence better governed.”—*On the Government of the Church, translated from the Latin of Febronius*, vol. i. c. 4. s. 3.—*For original, see Appendix B.*

riously to allege it as a proof of the necessity of bulls of investiture.

Another formula was introduced in the thirteenth century, to wit, that by which the prelates were termed "bishops.....by the grace of the Holy Apostolic See." An archbishop of Nicosia first employed it in 1251, and was followed in it by many of his brethren. The French bishops did not adopt it till a later period; and some suppressed it as incorrect, abusive, and novel: Bossuet termed himself 'bishop by the divine permission.'

At the close of the fourteenth century, when the Castilians had withdrawn from their obedience to Peter de Lune, Henry III. king of Castile, commanded the archbishops to invest the bishops.⁽¹⁾—The king of France did the same, when, at the same period, the Gallican church refused to recognize any of the three contending popes. In 1587 the bishop of Constance was consecrated, installed, and put into full possession of his office ten years before the bulls from Rome were received; this is attested by the pleadings of the advocate-general Servin, wherein the right of dispensing with these bulls is proved by the ancient discipline of the church. This was, as we have seen, the doctrine of the French bishops consulted by the court of Portugal:⁽²⁾ it was that of

(1) Gonzales de Avila. History of the Antiquities of the city of Salamanca, l. 3, c. 14.

(2) See page 298. (Ism. Bull.) Libelli duo pro eccl. Lusi-

Simond, of Peter de Marca, of Thomassin, and of Talon and Bossuet. Simond⁽¹⁾ observes, that before the fifteenth century, when Gaul was subject to the Romans, the bishops, elected by the people and the clergy, were invested only by the metropolitans. De Macra,⁽²⁾ desires they may banish from christian schools, the novel and unheard-of doctrine, unknown to the twelve first centuries, which inculcates the belief that the bishops receive their authority from the pope; he is of opinion, that many circumstances may fully authorize the bishops to dispense with the modern custom of appointments termed canonical, and the reverting to natural and divine right, without any respect to the forms introduced by the new law; and father Thomassin⁽³⁾ assures us that, notwithstanding the efforts he has made to discover in antiquity some vestiges of this institution, he has found, on the contrary, that the ancient bishops, and especially those of the East, ascended their sees without the popes having been made acquainted with it. Lastly, in 1718, the Council of Regency consulted the Sorbonne on this point, which decided, that, circumstances or occasion requiring, it

tanicus : Parisiis in 1655, in 4to.—*Narratio...rerum quæ acciderunt super confirmandis.....episcopis Lusitanæ*; *Ulyssip.* 1667, in 4to.

(1) *Præfat. ad App. Concil. Gall.* v. 2.

(2) *De concord. sacerdot. et imperii.*

(3) *Discip. Eccles.* vol. 2, p. 2, l. 2, c. 8

might restore to their ancient privileges of investing, without pontifical bulls, the prelates legitimately elected. (1) This is surely enough to demonstrate that these bulls are in no wise necessary, and that, at least, they may be considered as obtained, when they are refused from motives foreign to the personal qualifications of the elected.

The historical details of this feeble and too hasty essay, rather glanced at than fully developed, expose

(1) "The re-establishment of metropolitans in their ancient rights," says the bishop of Novarra, "confers the means of providing, without any injurious delay, for the vacant churches. It was for this purpose that the famous council of Nice conferred on the metropolitan alone the ordination of bishops: all the succeeding councils have been unwilling to recognize as bishop him who was not ordained by the decree of his metropolitan. The Roman pontiffs themselves have asserted this general doctrine of the church to the year 1051; and it was religiously observed during upwards of a thousand years. The bishop consecrated by the metropolitan and by his suffragans proceeded at once to the government of his church, and was installed by the clergy of the vacant see. Antiquity knew of no canonical institution or oath of fidelity to the Roman pontiffs, to which they would subject the episcopacy in these latter times, and by which they restricted its divine and original authority. Such are the true and invariable principles, such is the constant and pure doctrine, of the church." Address of the bishop of Novara to his Imperial Highness the prince Viceroy of Italy. Moniteur 11th February 1811.

The bishop of Forli professes the same principles. "The ordinary power of bishops, says he, is derived immediately from Christ.....In whatsoever place a bishop is to be found,

slightly, at least, the dangers of the temporal sovereignty of the pope, and the limits which ought to confine his spiritual authority. These limits had need to be assigned by a victorious hand, capable of setting bounds to all subaltern ambition, and unaccustomed to suffer any restrictions to be put on the progress of civilization, the diffusion of knowledge, and the glory of a great empire. The abolition of the terrestrial power of the pontiffs, is one of the

"whether at Rome, at Gubbio, at Constantinople, at Reggio, at Alexandria, or at Favi, he has the same character and possesses the same authority. All are equally successors of the apostles, so says St. Jerome.....After the abdication of Nectarius, the council of Ephesus wrote to the clergy of Constantinople to take charge of this church, in order to render account thereof to him who by the divine will should be ordained thereto by command of the emperor....For upwards of a thousand years, no canonical investment was known in the church, nor oath of fidelity to the pope; obligations fatal to the ordinary authority of the episcopacy," &c.—*Moniteur*, 16th Feb. 1811.

"I am perfectly satisfied," says the bishop of Verona, "that the spiritual jurisdiction which a bishop exercises is derived to him immediately from God, and that he may be placed in his see by the competent power, in virtue of the canonical decrees of the universal church....Bishops are not the vicars of the sovereign pontiff, but the true ordinaries of their dioceses....In the council of Trent, the most learned bishops strongly defended the prerogatives of the episcopacy."—*Moniteur*, 1st of March, 1811.

The bishop of Verona, whose expressions we have above transcribed, published about thirty years since a volume in 4to, entitled 'De Finibus Sacerdotii et Imperii,' a learned and judicious work which the court of Rome hastened to condemn.
—For original see Appendix C.

greatest benefits Europe can be indebted for to a Hero. The destiny of a new founder of the Western Empire is, to repair the errors of Charlemagne, to surpass him in wisdom, and therefore in power ; to govern and consolidate the States which Charles knew only how to conquer and rule ; in fine, to render eternal the glory of an august reign, in securing, by energetical establishments, the prosperity of succeeding sceptres.

CHRONOLOGICAL TABLE

OF

The Popes.

FIRST CENTURY.

	YEAR.
1. St. Peter,	66
2. St. Lin, son of Herculaniis, born at Volterra in Tuscany, died in	78
3. St. Anaclet, or Clet, died in	91
See page 35.	
4. St. Clement, son of Faustinus, born at Rome, died in	100
See page 35.	

SECOND CENTURY.

5. St. Evaristus, born in Syria, p. 35,	died in 109
6. St. Alexander I.	119
7. St. Sixtus I. born at Rome,	127
8. St. Telesphore,	139

9.	St. Hyginus,	died in	142
10.	St. Pius I.		157
11.	St. Anacetus,		168
12.	St. Soter, born at Fondi,		177
13.	St. Eleutherius, died the last day of the year		192
14.	St. Victor,		202

THIRD CENTURY.

15.	St. Zephirinus,	died in	219
16.	St. Calixtus I.	14th October,	222
17.	St. Urban I.	25th May,	230
18.	St. Pontien,	28th Sept.	235
19.	St. Antherus,	3rd Jan.	236
20.	St. Fabian,	28th Jan.	250
21.	St. Cornelius,	14th Sept.	253
22.	St. Lucius, I.	4th or 5th March,	255
23.	St. Stephen I.	2nd Aug.	257
24.	St. Sixtus II.	6th Aug.	258
25.	St. Dionysius,	26th Dec.	269
26.	St. Felix I.	22nd Dec.	274
27.	St. Eutychian,	7th or 8th Dec.	283
28.	St. Caius,	22nd April,	296
29.	St. Marcellinus,	24th Oct.	304

FOURTH CENTURY.

30.	St. Marcellus, a Roman by birth, died 16th Jan.	310
31.	St. Eusebius,	26th Sept. 310

32. St. Miltiades or Melchiades, died 10th or
11th Jan. 314
33. St. Sylvester I. born at Rome, died 31st Dec. 335
See pages 4 and 35,
Pretended donation of Constantine.
Council of Nice, 1st œcumenical, in 325.
34. St. Mark, died the 7th Oct. 336
35. St. Julius I. a Roman by birth, died 13th April, 352
36. St. Liberius, 24th April, 366
Felix II. antipope, 22nd Nov. 365.
37. St. Damasius, a Roman, 10th or 11th Dec. 384
Council of Constantinople 2nd œcum. 381.
38. St. Siricius, a Roman, See page 35,
died 25th Nov. 398
The first of whom we have an authentic decree
39. St. Anastasius I. a Roman, died in 401 or 402,

FIFTH CENTURY.

40. St. Innocent I. died 12th March 417
41. St. Zosimus, born in Greece, died 26th Dec. 418
42. St. Boniface I. a Roman, son of the priest
Jocundus, died 4th Sept. 422
43. St. Celestine I. a Roman, 30th July, 432
Council of Ephesus, 3rd œcumen. in 431.
44. St. Sixtus III. a Roman, 18th Aug. 440
45. St. Leo I. or the Great, born at Rome, one of
the doctors of the Latin Church, died 6th or
8th Nov. 461
Council of Chalcedon, 4th œcumen. 451.
46. St. Hilary, a Sardinian, died 21st Feb. 468

47.	St. Simplicius, native of Tivoli, died 25th Feb.	483
48.	St. Felix III. a Roman, 24th or 25th Feb.	492
49.	St. Gelasius, born at Rome, 19th Nov.	496
50.	St. Anastasius II. 17th Nov.	498

SIXTH CENTURY.

51.	Symmachus, born in Sardinia, elected in 498 died the 9th July	514
52.	Hormisdas, born at Frusignone in Campania See page 7, died 6th Aug.	523
53.	St. John I. a Tuscan, 18th May,	526
54.	Felix IV. a Samnite, in	530
55.	Boniface II. born at Rome, of Gothic origin, died in the year	532
56.	John II. called Mercurius, born at Rome, died the 27th of May,	535
57.	Agapit, son of the priest Gordian, died the 22d of April,	536
58.	Sylverius, a native of Campania son of pope Hormisdas (No 52) 20th of June	538
59.	Vigilius, son of the Consul John, elected pope Nov. 537, before the death of Sylverius, died at Syracuse, 10th Jan.	555
	2nd Council of Constantinople, and 5th œcumenical, held in	553
60.	Pelagius I. died 1st March,	560
61.	John III. called Cateline, born at Rome, died 13th July,	575
62.	Benedict Bonosius, 30th July,	557

63. Pelagius II. died 8th Feb. p. 8, 590
 64. St. Gregory I. or the Great, born at Rome, one
 of the fathers or doctors of the Latin Church
 12th March, p. 8, 604
-

SEVENTH CENTURY.

65. Sabinian, died 22nd Feb. 606
 66. Boniface III. in 606 or 607
 67. Boniface IV. native of Valeria, in the country
 of the Moors, 7th May 615
 68. St. Deus Dedit, a Roman, 3rd Dec. 618
 69. Boniface V. born at Naples, died 22d Oct. 625
 70. Honorius I. a native of Campania, son of the
 consul Petronius, died 12th Oct. 638
 An interregnum of twenty months.
 71. Severinus, born at Rome, consecrated in May,
 and died the 1st of August, 640
 72. John IV. of Dalmatia, 11th Oct. 642
 73. Theodore I. born at Jerusalem, died 13th May, 649
 The first who received the title of sovereign
 pontiff.
 74. St. Martin I. of Todi, p. 9, 17th Sept. 654
 75. St. Eugene I. a Roman, 1st Jan. 657
 76. Vitalian, born at Segni, p. 9, 27th Jan. 662
 77. Adeodat, a Roman, in June, 676
 78. Donus or Domnus, a Roman, 11th April, 678
 79. Agathon, a Sicilian, p. 9, 10th June, 682
 Third Council of Constantinople, the 6th
 œcumenical, held in 680 and 681.
 80. St. Leo II. a Sicilian, p. 9, died in 683 or 684

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|-----|---------------------------------------------------------------------|---------------|-----|
| 81. | Benedict II. a Roman, | died 7th May, | 685 |
| 82. | John V. a Syrian, | 7th Aug. | 687 |
| 83. | Conon, born in Sicily, of Thracian origin,
p. 9, died 21st Sept. | | 687 |
| 84. | St. Sergius I. born at Palermo, of Antiochian
origin, p. 9, | 8th Sept. | 701 |
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EIGHTH CENTURY.

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|-----|-----------------------------------------------------------------------------------------------------------------------------|------------------|-----|
| 85. | John VI. a Greek, | died 9th Jan. | 705 |
| 86. | John VII. a Greek, | 17th Oct. | 707 |
| 87. | Sisinnius, a Syrian, | 7th Feb. | 708 |
| 88. | Constantine, a Syrian, p. 9, | 9th April, | 715 |
| 89. | St. Gregory II. a Roman, p. 10, 13 — 16,
died the 10th Feb. | | 731 |
| | Quarrel with the Emperor Leo the Isaurian. | | |
| 90. | Gregory III. a Syrian, p. 17,
Excommunication of the Iconoclastes ;—Ro-
man Republic. | 27th Nov. | 741 |
| 91. | Zachary, a Greek, p. 20,
Accession of Pepin the Short.
Stephen elected pope in 752, died before
being consecrated. | 14th March, | 752 |
| 92. | Stephen II. p. 3, 21—25,
Pretended sacred donation of Pepin, let-
ters of St. Peter, &c. | died 25th April, | 757 |
| 93. | Paul I. brother of the preceding, p. 25,
died 28th Jan. | | 767 |
| 94. | Stephen III. a Sicilian, | 1st Feb. | 772 |
| 95. | Adrian I. son of Theodale, duke of Rome,
p. 26—29, | 25th Dec. | 795 |

Charlemagne in Italy.

Second Council of Nice, 7th œcumenical,
in 787.

96. Leo III. a Roman, p. 30—34, 11th June, 816
Charlemagne crowned emperor in 800.
False decretals, p. 35, 36.

NINTH CENTURY.

97. Stephen IV. installed 22d June 816, p. 38,
died 24th Jan. 817
98. Pascal I. a Roman, installed 25th Jan. 817,
see p. 50, 51. died 11th May, 824
99. Eugene II. born at Rome installed and
died in Aug. p. 40—42, 827
100. Valentine, born at Rome installed and died, 827
101. Gregory IV. installed at the close of 827,
died in Jan. p. 34, 41, 48, 844
Humiliation of the emperor Louis-le-
Debonairre.
102. Sergius II. installed the 27th January 844,
died 27th Jan. p. 48, 847
103. St. Louis IV, elected in 847, died 17th July, 855
Leonine City, pages 48, 50.
104. Benedict III. installed 29th Sept. 855,
died 8th April, 858
105. Nicholas I. a Roman, installed 24th April 858,
p. 49, 58, died 13th Nov. 867
106. Adrian II. a Roman, installed 14th Dec. 867,
p. 58, 61, died in 872
4th Council of Constantinople, the 8th
œcumenical, held in 869.

107. John VIII. installed the 14th December 872,
p. 61, 68. died 15th Dec. 882
Charles the Bold crowned emperor in 875,
and Charles the Fat in 880.
108. Marinus, installed the end of December 882,
died in May, 884
109. Adrian III. a Roman, installed in 884,
died in Sept. 885
110. Stephen V. a Roman installed in Sept. 885,
p. 66. died 7th Aug. 891
111. Formosus, installed p. 67, in Sept. 891,
died in April, 896
112. Boniface VI. installed and died in 896
113. Stephen VI. installed in 896, strangled 897
114. Romanus, born at Rome, installed 20th Aug. 897
115. Theodore II. installed and died in 898
116. John IX. a native of Tibur or Tivoli, instal-
led, p. 66, 68, 73, in July 890, died 900

TENTH CENTURY.

117. Benedict IV. elected in December, 900, p.
68. died in October, 903
118. Leo V. a native of Ardee, installed 28th Oct.
903, banished in Nov. 903
119. Christophus, a Roman, installed in November,
903, banished in June, 904
120. Sergius III. installed in 906, died in August, 911
121. Anastasius III. a Roman, installed Aug. 911,
died Oct. 913
122. Landon, installed in 913, died April, 914

123. John X. installed the end of April, 914,
died in prison in 928
The lover of Theodora, the conqueror of
the Saracens, p. 75, 87, dethroned by
Marosia,
124. Leo VI. installed at the end of Jan. 928,
p. 76, died the 3rd of February, 929
125. Steshen VII. installed in Feb. or March 929,
p. 76, died in Mar. 931
126. John XI. son of Marosia, and it is said of Ser-
gius III. born in 906, installed on 20th
March, 931, p. 75, died in prison, in the
month of Jan. 936
127. Leo VII. inst. in Jan. 936, died in July, 939
128. Stephen VIII. inst. July, 939, died Nov. 942
129. Martin III. a Roman, installed in March, 942,
died 25th Jan. 945
130. Agapit II. a Roman, installed March, 946,
died the end of 955
131. John XII. Octavian, born at Rome in 938, of
the patrician Alberic, and afterwards patri-
cian himself in 954, installed in Jan. 956;
banished in 963 by the emperor Otho the
Great, see pages 78—82, 86.
132. Leo VIII. installed the 6th Dec. 963, p. 81
—83, 86, died 17th March, 965
133. Benedict V. elected after the death of John
XII. 14th May, 964, see p. 81—83, 86,
and died at Hamburg, the 5th of July, 965
134. John XIII. called Poule Blanche, born at
Rome, installed the 1st Oct. 965, p. 83
—87, died 6th Sept. 972

135. Benedict VI. installed at the end of 972, see
p. 87, strangled in 974
136. Boniface, Francon, son of Ferruccio, Anti-
pope, under the name of Boniface VIII.
see p. 87, 88, died in 985.
137. Donus II. elected pope after the expulsion of
Francon or Boniface, died 25th Dec. 974
138. Benedict VII. a Roman, nephew of the pa-
trician Alberic, installed in 975, p. 87, 88,
died 10th of July, 983
139. John XIV. installed by the emperor Otho II.
in Nov. 983, banished by Francon or Boni-
face in the month of March following,
p. 85, and put to death the 20th Aug. 984
A John XV. who died before the month
of July 985, is not counted : he is distinct
from the following, to whom the name of
John XV. remains.
140. John XV. a Roman, son of the priest Leo,
installed in July, 906 ; banished by the
consul Crescentius in 987, restored by Otho
III. p. 88, 89, died in 996
141. Gregory V. Brunon, son of Duke Otho, and
grandson of the Emperor Otho I. installed
3d May, 996, p. 88, 89, banished by
Crescentius in 997
142. John XVI. Philagathus, a Greek, installed
by Crescentius in 997, put to death by order
of Gregory V. who died 9th Feb. 999, see
p. 89, in 998
143. Sylvester II. Gerbert, born in Auvergne,
archbishop of Rheims, afterwards of Ravenna,
installed Pope, 2d April, 999, p. 92, 95,
died the 11th May, 1003

ELEVENTH CENTURY.

144. John XVII. Siccon or Secco, installed 9th Jan. 1003, died 1st Oct. 1003
145. John XVIII. Phasian, born at Rome of the priest Orso, installed 26th Dec. 1003, abdicated the end of May 1009, and died 18th July, 1009
146. Sergius IV. Petrus Bucca Porci, Peter Groin, installed in 1009, died in 1112
147. Benedict VIII. John of Tusculum, inst. 5th July 1012, p. 95, 98, died in 1024
Coronation of Henry II. emperor in 1013.
148. John XIX. a Roman, of Tusculum, brother of the preceding, formerly consul, duke, senator: installed pope in Aug. 1024; banished by the Romans; restored by the emperor Conrade, p. 96, 98, died in 1033
149. Benedict IX. Theophylacte, of Tusculum, nephew of the two preceding, installed in 1033; banished and restored in 1038; banished again in 1044, and restored in 1047; p. 97—99, retired in 1048
150. Sylvester III. John, bishop of Sabine, pope in 1044, 1045, 1046.
151. Gregory VI. John Gratian, pope in 1044, 1045, 1046.
Benedict IX. Sylvester III. and Gregory VI. all three, popes at the same time, were deposed by the emperor Henry III.
pages 98—100.

152. Clement II. Suidger, a Saxon, bishop of Bamberg, installed pope the 25th Dec. 1046,
died 9th Oct. 1047

Return of Benedict IX. p. 99.

153. Damasius II. Poppon, bishop of Brixen, installed pope the 17th July, 1048, at the moment of the retiring of Benedict, p. 99,
died 8th Aug. same year, 1048.

154. St. Leo IX. Brunon, son of Hugues, count of Egesheim in Alsace, born in 1002, installed pope in Feb. 1049, p. 99, 101, died the
10th April, 1054

The Greek schism is completed under this pontificate.

155. Victor II. Gebehard, son of Harduig, count of Calw in Swabia, installed the 13th April, 1055, p. 99—101, died in Tuscany, the
29th July, 1057

156. Stephen IX. Frederick, son of Gothelon, duke of Basse-Lorraine, installed the 3d Aug. 1057, p. 99, died at Florence, the 29th
March, 1058.

157. Benedict X. John, bishop of Veletri, elected pope 30th March, 1058, resigned the 18th
Jan. 1059

158. Nicholas II. Gerard, born in Burgundy, installed the 18th Jan. 1059, p. 101—105,
died the 21st or 22d July, 1061

Election of the popes by the cardinals.

Quarrel respecting investitures.

159. Alexander II. Anselm Badage, a Milanese, installed the 30th Sept. 1061, p. 101—105,
died the 21st April, 1073

- Cadalo or Honorius II. antipope, p. 105.
160. Gregory VII. or Hildebrand, born near Soane in Tuscany, elected pope the 22d April, 1073, died at Salerno, 25th May, 1085
 Quarrels with all the sovereigns.—Excommunication and deposition of the Emperor Henry IV.
 Donation of the Countess Matilda, &c. p. 100—111.
 Guibert or Clement III. antipope.
 Between Gregory VII. and Victor III. the Holy See is vacant one year.
161. Victor III. Didier, sprung from the house of the dukes of Capua, elected the 24th May, 1086, p. 96, 97, 117, died 6th Sept. 1087
162. Urban II. Otton or Odon, born at Rheims, bishop of Ostia, elected pope 12th March, 1088, p. 117—119, died 29th July, 1099
 Excommunication of Philip king of France.
 First crusade in 1095.
 Death of the antipope Guibert 1100.

TWELFTH CENTURY.

163. Pascal II. Rainier, born at Bleda, in the diocese of Viterbo, elected pope the 13th Aug. 1099, died 18th, or 21st June, 1118
 Degradation of the emperor Henry IV.—
 Quarrels of the pope with Henry V. Albert, Theodoric, Maginulfe, antipopes after Guibert, p. 122, 129.

164. Gelasius II. John of Gaète, elected pope the
25th Jan. 1118, p. 129, died at Cluni
29th Jan. 1119
Bourdin or Gregory VIII. antipope,
p. 129.
165. Calixtus II. Gui, born at Quingey, of a count
of Burgundy, archbishop of Vienne,
elected pope the 1. Feb. 1119, p. 129,
131, died the 12th or 13th Dec. 1194
End of quarrel about investitures.
First council of the Lateran, 9th œcume-
nical, in 1123.
166. Honorius II. Lambert, born at Fagnano, in-
stalled the 21st of Dec. 1124, p. 130—132,
died 14th Feb. 1130
167. Innocent II. Gregorie of the house of the Papi,
elected 15th Feb. 1130, died the 24th Sept. 1143
Quarrells with the king of France, Louis
the Young, &c. p. 132, 133.
Peter of Leon, antipope under the name of
Anaclet, and after him, Gregory or Victor
IV. p. 132.
Second council of the Lateran, tenth
œcumenical, in 1139.
168. Celestine II. Gui, a Tuscan, elected 26th
Sept. 1143, p. 133, 137, died 9th March,
1144,
169. Lucius II. Gerard, born at Bologna, installed
the 12th March, 1144, p. 134, 136, died the
25th Feb. 1145
Arnauld of Brescia.
170. Eugenius III. Bernard, born at Pisa, elected

- 7th of Feb. 1145, p. 135, 139, died the
7th of July, 1153 Crusade of 1147.
Decree of Gratian published in 1152.
171. Anastasius IV. Conrade, born at Rome,
elected the 9th July 1153, died 2d December, 1154
172. Adrian IV. born at St. Albans in England,
elected 3rd Dec. 1154, died 1st September, 1159
Disputes with the emperor Frederick Bar-
barossa, &c p. 139, 148,
173. Alexander III. Roland, of Sienna, of the
house of Bandinelli, elected 7th of Sept.
1159, p. 148, 153, died 30th of Aug. 1181
Octavian or Victor III. Pascal III. Ca-
lixtus III. and Innocent III. antipopes.
Lombard-league against Frederick Barba-
rossa.—Alexandria; Thomas a Becket
&c.—3rd Council of the Lateran, 11th
œcumenical, in 1179.
174. Lucius III. Ubalde, born at Lucca, elected the
1st September 1181, p. 153, died the 24th
Nov. 1185
175. Urban III. Hubert Crivelli, elected 25th of Nov.
1185, p. 153, died at Ferrara, 19th October. 1187
176. Gregory VIII. Albert, born at Beneventum,
elected 20th Oct. 1187, p. 153, died 17th
December 1187
177. Clement III. Paul or Paulin Scolaro, born at
Rome, elected 19th December 1187, p. 153,
died 27th March, 1191
Crusade in 1189.
178. Celestine III. Hyacinth Bobocard, born in
1108, elected pope 30th March 1191, p. 154,
155, died 8th of Jan. 1198

THIRTEENTH CENTURY.

179. Innocent III. Lothaire, of the house of the counts of Segni, born in 1160, elected pope 8th Jan. 1198, consecrated 22d Feb. following, died 16th or 17th July, 1216
 Disputes with the Venetians, with the king of France Philip Augustus, with John king of England, with the emperor Otho IV. &c. p. 154—169.
 Crusade of 1203; taking of Constantinople by the crusaders.
 Crusade against the Albigenses; Inquisition; Twelfth Council of Lateran, twelfth œcumenical, in 1215.
180. Honorius III. Cencio Savelli, a Roman, elected at Perugia, 18th July 1216, consecrated 24th of same month, p. 170, died 18th March, 1227
181. Gregory IX. Ugolin, of the family of the counts of Segni, a native of Anagni, bishop of Ostia, elected and installed pope the 19th March, 1227, died when nearly one hundred years old, 21st Aug. 1224
 The emperor Frederick II. four times excommunicated.
 Body of decretals compiled by Raymond de Pennafort, p. 170—177.
182. Celestine IV. Geoffrey de Castiglione, a noble Milanese, a Cistercian monk, bishop of Sa-

bine, elected pope at the end of Oct. 1241,
died the 17th or 18th Nov. 1241

Between Celestine IV. and Innocent IV.
the Holy See is vacant for 19 months.

183. Innocent IV. Sinibald de Fiesque, a noble
Genoese, elected pope at Anagni, 25th
June, 1243, consecrated 29th of the same,
p. 177—185, died at Naples, 7th Dec. 1254
Council of Lyons, 13th œcumenical, in
1245.

The emperor Frederick II. deposed :—
Conferences of Louis IX. and Innocent
at Cluni : Crusade against Conrade IV.
and Manfred the son of Frederick.

184. Alexander IV. Reinald, of the family of the
counts of Segni, bishop of Ostia, elected
pope the 12th Dec. 1254, died at Viterbo,
25th May, 1261

Excommunication of Manfred : Negoci-
ation with Louis IX. and Charles of Anjou,
respecting the kingdom of Naples, p. 185
—187.

185. Urban IV. Jacques-Pantaleon Court-Palais,
born at Troyes in Champagne, archdeacon
of Liege, bishop of Verdun, patriarch of Je-
rusalem, elected pope at Viterbo, 29th Aug.
1261, consecrated 4th Sept. following, p.
187, 188, died 2d Aug. 1264

186. Clement IV. Gui de Foulques, born at Saint-
Gilles-sur-le-Rhone, bishop of Puy, archbi-
shop of Narbonne, cardinal, bishop of Sabine,
elected pope at Perguia, the 5th Feb. 1265,

crowned 26th of same month at Viterbo,
where he died the 29th Nov. 1268

Charles of Anjou called to the throne of
Naples: Death of Concradine the 28th
Oct. 1268: Pragmatic Sanction of Saint
Louis, p. 187—192.

The Holy See remains vacant from the
29th Nov. 1268 to the 1st Sept. 1271.

187. Gregory X. Thealde or Thibaud, of the family
of the Visconti of Placentia, canon of Lyons,
archbishop of Liege, elected pope 1st Sept.
1271, consecrated 27th Nov. of same year,
died at Arezzo, the 10th Jan. 1276

Coronation and excommunication of the
emperors Rhodolph of Hapsburg, &c.
p. 192, 193.

Second Council of Lyons, 14th œcume-
nical in 1274.

188. Innocent V. Peter de Tarantaise, a Dominican,
cardinal, bishop of Ostia, elected pope at
Arezzo, 21st Feb. 1276, crowned at Rome,
23d of the same, died 22d June, 1276

189. Adrian V. Ottoboni, a Genoese, cardinal
deacon, elected pope 11th July, 1276, died
at Viterbo, 16th Aug. 1276

190. John XXI. Pierre, a Portuguese, cardinal,
bishop of Tusculum, elected pope at Viterbo
13th Sept. 1276, crowned 20th of the same,
died 16th or 17th May, 1277

191. Nicholas III. John Gaetan, a Roman, of the
Orsini family, cardinal deacon, elected pope
at Viterbo, 25th Nov. 1277, after a vacancy

- of six months, crowned at Rome 26th Dec.
the same year, p. 193, 194, died 22d Aug. 1280
192. Martin IV. Simon de Brion, cardinal priest,
elected pope at Viterbo, 22d Feb. 1281,
crowned at Orvieto, 23d March, same year,
died the 28th March, 1285
Sicilian vespers in 1282, p. 194.
193. Honorius IV. James Savelli, a noble Roman,
cardinal deacon, elected pope at Perugia,
2d April, 1285, consecrated at Rome, 4th of
May following, died 3d April, 1287
194. Nicholas IV. Jerome, a native of Ascoli,
brother minor, cardinal, bishop of Palestrina,
elected pope in 1288, died 4th April, 1292
Vacancy of two years.
195. St. Celestine V. Peter Mouron, a native of
Isernia in the kingdom of Naples, elected
pope at Perugia, 5th July 1294, consecrated
24th Aug. following, abdicated 13th Dec.
of the same year, and died 19th May, 1296
196. Boniface VIII. Cajatan, a native of Anagni,
cardinal legate, elected pope 24th December
1294, consecrated 2d January, 1295, died
11th October 1303
Proscription of the family of Colonna.
Quarrels with the king of France, Philip
the Fair.—The Sixth &c. p. 194, 200.

FOURTEENTH CENTURY.

197. Benedict XI. Nicholas Bocasin, of Treviso,

theson of a shepherd ; ninth general of the Dominicans, cardinal bishop of Ostia, elected pope 22d Oct. 1303, and crowned the 27th, died at Perugia the 6th or 7th of July, 1304

A vacancy of eleven months, p. 208.

198. Clement V. Bertrand de Gotte, born at Villandran in the diocese of Bourdeaux, bishop of Comminges, elected pope at Perugia the 5th of June, 1305, crowned at Lyons the 14th Nov. of same year, died at Roquemaure near Avignon, the 20th April, 1314

The Holy See transferred to Avignon, suppression of the Templars.—Excommunication of the Venetians.—Clementines, p. 209, 212.

Council of Vienna, 15th œcumenical, in 1311.

From Clement V. to John XXII. an interregnum of two years.

199. John XX, James d'Euse, born at Cahors, cardinal, bishop of Porto, elected pope at Lyons the 7th of Aug. 1316, died 4th Dec. 1334

Excommunication of the emperor Louis of Bavaria.

Peter de Corbieres, a Franciscan, anti-pope under the name of Nicholas V.

Treasures of John XXII.—His 'extravagants,' p. 212, 215.

- 200 Benedict XII. James Fournier, born at Lavedun, in the county of Foix, cardinal, elected pope 20th Dec. 1334, crowned at Avignon 8th January 1335, died 25th Apr. 1342

Pragmatic Sanction of the Germans,
p. 215, 216.

201. Clement VI. Peter Roger, born in the diocese of Limoges, a monk of the Chaise—Dieu, archbishop of Rouen, cardinal, elected pope 7th May, 1342 and crowned the 19th, died at Villeneuve, near Avignon, 6th Dec. 1352

Anathemas against Louis of Bavaria.—
Joan II. queen of Naples, sells Avignon to the pope, &c. p. 215, 218.

202. Innocent VI. Stephen d'Albert, born in the diocese of Limoges, bishop of Noyon, in Clermont, cardinal, bishop of Ostia, elected pope, 18th Dec. 1352, and crowned the 30th died at Avignon the 12th Sept. 1362

Cessions of the emperor Charles IV. and beginning of the avowed sovereignty of the popes in 1355, p. 219, 221.

203. Urban V. William, son of Grimond, lord of Grisac in Gevaudan, a Benedictine, elected pope in Sept. 1362, and crowned the 6th of November, died 19th December, 1370
He was compelled to return from Rome to Avignon, p. 221,

204. Gregory XI. Peter Roger, born in the diocese of Limoges, nephew of Clement VI. cardinal, elected pope the 30th Dec. 1370, crowned the 5th Jan. 1371, p. 222, died at Rome the 27th March, 1378

After the death of Gregory XI. in 1278, the schism of Avignon; and, of the West.

205. Urban VI. Bartholomew Pregnano, a Neapo-

- litan, elected pope at Rome the 9th of April 1378, crowned the 18th, p. 221, died the 18th Oct. 1389
206. Clement VII. Robert, of the house of the counts of Geneva, canon of Paris, bishop of Therouane and Cambray, cardinal legate, elected pope at Fondi the 21st Sept. 1358, acknowledged in France, England, &c. p. 221, died 16th Sept. 1324
207. Boniface IX. Peter or Perrin Tomacelli, called the cardinal of Naples, elected by fourteen cardinals the 2d Nov. 1289, to succeed Urban VI. ; p. 221, 223, 224, died 1st Oct. 1404
208. Benedict XIII. Peter de Lune, a Spaniard, born in 1325, cardinal deacon, elected the 28th Sept. 1394, to succeed Clement VII. died at Rimini the 18th Oct. 1417
France withdrew from obedience to either pontiff, p. 221—226.

FIFTEENTH CENTURY.

209. Innocent VII. Cosma de Megliorati, born at Sulmone, cardinal, elected the 17th October, 1404, to succeed Boniface IX. crowned in November the same year, died 6th of Nov. 1406
210. Gregory XII. Ange Corrarior, Venetian, cardinal, elected the 30th Nov. 1406, to succeed Innocent VII. ; abdicated the 4th

July 1415, p. 226, died at the age of ninety
two the 18th Oct. at Rimini, 1417,
Council of Pisa in 1409 ; it deposes Gre-
gory XII. and Benedict XIII. ; it elects
Alexander V. p. 226.

211. Alexander V. Peter Philarge, born in the Isle
of Candia, bishop of Vicenza and Novara,
archbishop of Milan, cardinal, elected pope,
in the Council of Pisa, the 26th June, 1409,
crowned 7th July, the same year, p. 226,
died at Bologna, the 3d May, 1410
212. John XXIII. Balthasar Cossa, born at Na-
ples, of a noble family, cardinal deacon,
elected at Bologna by sixteen cardinals, the
17th May, 1410, to succeed Alexander V.
is deposed by the Council of Constance,
29th May, 1415, died 22d of Nov. 1419
Council of Constance, from the 5th Nov.
1414, to the 22d April, 1418 ; 16th œcu-
menical, p. 226, 227.
213. Martin V. Otho Colonna, a Roman, cardinal
deacon, elected pope at the Council of Con-
stance, the 11th Nov. 1417, crowned the
21st : he entered Rome the 22d Sept. 1420,
p. 226, 228, died the 21st Feb. 1431
214. Clement VIII. Gilles de Mugnos, canon of Bar-
celona, elected by two cardinals in 1424, to
succeed Benedict XIII. or Peter de Lune,
abdicates the 26th July, 1429.
215. Eugene IV. Gabriel Condolmere, a Venetian,
cardinal, bishop of Sienna, elected in the
month of March 1431, to succeed Martin V.

crowned the 11th of the same month;
 declares for the Orsini against the Colon-
 nas; is deposed by the Council of Basle,
 22d of June, 1439, p. 229, 233, died the
 23d of Feb. 1440

Council of Basle, from the 23d of July,
 1431, to the month of May 1043, the 17th
 œcumenical, p. 228, 229.

Council of Florence, from the 26th Feb.
 1439, to the 26th April, 1442, 18th œcu-
 menical, p. 229.

Pragmatic Sanction of Charles VIII. in
 1439, p. 229—233.

216. Felix V. Amadeus VIII. duke of Savoy, elected
 pope by the Council of Basle, the 5th of Nov.
 1439, crowned the 24th of July, 1440, p.
 229, renounced the pontificate the 9th April, 1449

217. Nicholas V. Thomas de Sarzane, a Tuscan,
 cardinal, bishop of Bologna, elected 6th
 Nov. 1447, to succeed Eugene IV. and
 crowned pope the 18th of the same month,
 p. 229, died the 24th March, 1455

End of the schism in the West in 1449.
 Taking of Constantinople by the Turks
 in 1453, p. 229.

218. Calixtus, III. Alphonso Borgia, born in 1377
 at Valencia in Spain, cardinal, archbishop
 of Valencia, elected pope the 8th April,
 1455, and crowned the 20th, p. 233, died
 the 8th Aug. 1458

219. Pius II. Piccolomini, born in 1405 at Cor-
 sini near Sienna, an author under the name

of Eneas Sylvius, cardinal, bishop of Sienna, elected pope in 1458, died at Ancona, in July, 1464

Bull 'Execrabilis.'—Abrogation of the Pragmatic of Louis XI.—Letter of Pius II. to Mahomet II. p. 233, 237.

220. Paul II. Peter Barbo, born at Venice in 1417, cardinal of St. Mark, elected pope the 31st Aug. 1464, crowned the 16th of Sept. the same year, p. 237, 238, died the 28th July, 1471

221. Sixtus IV. Francisco d'Albescola de la Rovere, born in 1413 at Celles near Savona, a Franciscan, cardinal, elected pope 9th Aug. 1471; died the 13th Aug. 1484

Conspiracy of the Pazzi against the Medici at Florence in 1478, p. 239, 242.

222. Innocent VIII. John Baptist Cibo, a noble Genoese, of Greek extraction, born in 1432, cardinal, elected pope the 29th Aug. 1484, crowned 12th Sept. same year, p. 242, 243, died the 25th July, 1492

222. Alexander VI. Rodrigua Borgia, born at Valencia in Spain in 1431, cardinal, archbishop of Valencia, elected pope 11th Aug. 1492, crowned the 26th: died the 18th Aug. 1503
He betrayed Charles VIII, Louis XII &c.
p. 245, 248.

SIXTEENTH CENTURY.

224. Pius III. Peter Piccolomini, nephew of Pius II. cardinal of Sienna, elected pope the 22d Sept. 1503, crowned the 8th Oct. same year, p. 259; died the 18th of same month. 1503

225. Julius II. Julian de la Rovere, born in 1441 near Savona, nephew of Sixtus IV. bishop of Carpentras, Albano, Ostia, Bologna, and Avignon, cardinal, elected pope 1st of Nov. 1503, and crowned the 19th, died the 21st Feb. 1513.
- League of Cambray.—Louis XII. excommunicated &c. p. 251, 254.
- Fifth Council of the Lateran, 19th œcumenical, in 1512, 1517.
226. Leo X. John de Medicis, son of Lorenzo, born at Florence in 1447, cardinal deacon, elected pope the 11th of March 1513, died the 1st Dec. 1521.
- Excommunication of Luther.—Concordat with Francis the I. in 1516, p. 254, 261.
227. Adrian VI. Adrian Florent, born in 1459, cardinal, bishop of Tortosa, elected pope the 9th of January, 1522, p. 261, 262, died the 24th Sept. 1523
228. Clement VII., natural and posthumous son of Julian de Medicis, born at Florence in 1478, archbishop of Florence, cardinal, elected pope 19th Nov. 1523, and crowned the 25th; died the 26th Sept. 1534
- Holy league against Charles V.—Excommunication of the king of England, Henry VIII., p. 261, 264.
229. Paul III. Alexander Farnese, born at Rome in 1466, bishop of Ostia, dean of the sacred college, elected pope the 13th Octo. 1534, crowned the 7th of Nov. died 10th Nov. 1549
- Bull "In cœna Domini," p. 264, 267.

Council of Trent, from 1545 to 4th Dec. 1563, and last œcumenical, p. 264, 266.

230. Julius III. John Maria del Monte, born at Rome, the 10th Sept. 1487, bishop of Palestrina, archbishop of Siponte, cardinal, elected pope the 8th of February 1550, and crowned the 20th; died the 23rd of March, 1555
Excommunication of the king of France, Henry II. p. 267.
231. Marcellus II. Marcel Servin, born at Monte Pulciano, cardinal, elected pope 9th of April, crowned the 26th, and died the 30th of the same month, 1555.
232. Paul IV. John Peter Caraffa, a noble Venetian, born in 1476, cardinal, elected pope 25th May 1555, crowned the 26th; died 18th Aug. 1559
The enemy of Spain.—Excommunication of Elizabeth, Queen of England, p. 249, 270.
233. Pius IV. John Angelo de Medicis, born at Milan in 1499, cardinal, elected pope the 26th Dec. 1559, and crowned the 6th of Jan. 1560; died the 9th Dec. 1565.
Proscribes the nephews of his predecessors, p. 270, 271.
234. Pius V. Michael Ghisleri, a Ligurian, born the 17th Jan. 1504, a Dominican, cardinal, elected pope the 7th Jan. 1566, and crowned the 17th; died the 1st of May, 1572
Canonized by Clement XI. in 1712.
Pius renews the bull “ In cœna Domini.”
He bestows on Cosmo de Medecis the title

- of Grand Duke of Tuscany, p. 272, 273.
235. Gregory XIII. Hugues Buon-Compagno, born at Bologna in 1502, bishop of Vesti, cardinal, elected pope 13th of May 1572, and crowned the 25th; died 10th of April, 1585
Massacre of St. Bartholomew's-day the 24th of Aug. 1572.—The league &c. p. 273, 274.
236. Sixtus V. Felix Peretti, born at Montalto, in the Marche of Ancona, the 12th Dec. 1521, a herdsman, Cordelier, bishop of St. Agatha, cardinal, elected pope the 24th of April, 1585, died 27th Aug. 1590
Anathemas against Elizabeth, against Henry IV. king of Navarre, &c.—Henry III. assassinated by James Clement.—
The power of Philip II. king of Spain, detestable to Sixtus Quintus, p. 275, 278.
237. Urban VII. John Baptist Castagna, born at Rome in 1521, son of a Genoese gentleman, archbishop of Rossano, cardinal, elected pope the 15th Sept. 1590, p. 280, died the 27th of Sept. 1590
238. Gregory XIV. Nicholas Sfondrate, born at Cremona in 1535, bishop of Cremona, cardinal, elected pope the 3rd Dec. 1590, and crowned the 8th; died the 15th October 1591
239. Innocent IX. John Anthony Facchinetti, born at Bologna in 1519, bishop of Nicastro in Calabria, elected pope the 29th Oct. 1591, crowned the 3rd Nov. and p. 280, died the 30th Dec. 1591

240. **Clement VIII.** Hippolytus Aldobrandin, born at Fano in 1536, cardinal, elected pope the 30th of Jan. 1592, crowned eight days after, died in the month of March, 1605
 Abjuration and absolution of Henry IV.
 &c. p. 280—283.
 Pithou's Treatise on the Liberties of the Gallican Church, published in 1594, p. 283.
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SEVENTEENTH CENTURY.

241. **Leo XI.** Alexander Octavian de Medicis, born at Florence in 1535, cardinal, elected pope 1st of April, and died 27th of April, 1605
242. **Paul V.** Camillus Borghese, born at Rome, cardinal, elected pope 16th May 1605, and crowned the 29th, died 28th January, 1621
 Excommunication of the Venetians.—
 Troubles excited in England.—Bull "In Cœna Domini," &c. p. 289—295.
243. **Gregory XV.** Alexander Ludovisi, born 9th Jan. 1564 at Bologna, archbishop of this city, cardinal, elected pope 9th Feb. 1621, died the 3d July, 1623
244. **Urban VIII.** Maffeus Barberini, of an ancient Florentine family, archbishop of Nazareth, cardinal, elected pope 6th Aug. 1623, and crowned the 29th Sept. died 29th July, 1644

Excommunication of the Duke of Parma,
&c. p. 294—297.

245. Innocent X. J. B. Pamphili, born at Rome
7th May 1574, cardinal in 1629, elected
pope 15th Sept. 1644, and crowned 29th,
died the 7th Jan. 1655

Destruction of Castro.—Refusal of bulls
to the Portuguese bishops nominated by
John of Braganza.—The Duke of Guise
invited to Naples and betrayed.—Bull
against the Peace of Munster, &c. p. 297
—299.

246. Alexander VII. Fabio Chigi, born at Sienna,
the 15th of Feb. 1599, legate, nuncio, car-
dinal in 1652, elected pope the 7th of April,
1655, died the 22d of May, 1667

Formulary.—The ambassador of Louis
XIV. insulted at Rome, &c. p. 300—302.

247. Clement IX. Julius Rospigliosi, born at Pis-
toi in 1600, cardinal in 1657, elected pope
the 20th June, 1667, p. 302, died the 9th
Dec. 1669

248. Clement X. J. B. Emile Altieri, born at Rome
in 1590, cardinal in 1669, elected pope the
27th April, 1670, p. 302, died the 22d July, 1676

249. Innocent XI. Benedict Odescalchi, born at
Como in 1611, cardinal in 1647, elected
pope the 21st Sept. 1676, died 12th Aug. 1689
The Four Articles of 1682, p. 302—306.

250. Alexander VIII. Peter Ottoboni, born at Ve-
nice the 19th April 1610, bishop of Bres-
cia, of Frescati, a cardinal in 1652, elected

pope the 6th October 1689, p. 306, died
the 1st of Feb. 1691

251. Innocent XII. Anthony Pignatelli, born at Naples the 13th March 1615, archbishop of Naples, cardinal, elected pope the 12th July 1691, and crowned the 15th of the same, p. 306, died the 27th Sept. 1700
Refusal of bulls of Investiture, p. 308—313.
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EIGHTEENTH CENTURY.

252. Clement XI. John Francis Albani, born at Pesaro the 22d July 1649, cardinal in 1690, elected pope the 23d November 1700, and consecrated the 30th, died the 19th March, 1721
Bull 'Vineam Domini' in 1705.—Bull 'Unigenitus' in 1713.—Quarrels with Victor Amadeus, king of Sicily, p. 348, 349.
253. Innocent XIII. Michael Angelo Conti, Segni, born at Rome the 15th May 1655, bishop of Viterbo, cardinal in 1707, elected pope the 8th May 1721, and crowned the 18th ;
died the 7th Mar. 1724
254. Benedict XIII. Peter Francis Orsini, born the 2d Feb. 1649, a Dominican, cardinal, archbishop of Beneventum, elected pope the 29th May, 1724, and crowned the 4th June ;
died the 21st Feb. 1730
Legend of Gregory VII. p. 317—320.
- 255.. Clement XII. Lorenzo Corsini, born at Rome

the 7th April, 1662, cardinal in 1706, bishop of Frascati, elected pope the 12th July, 1730, and crowned the 16th, p. 319, died the 6th Feb. 1740

256. Benedict XIV. Prosper Lambertini, born at Bologna, the 31st March 1675, cardinal in 1728, archbishop of Bologna, elected pope the 17th Aug. 1740, died the 3d of May, 1758

Esteemed by all Europe, p. 319,

257. Clement XIII. Charles Rezzonico, a noble Venetian, born the 7th of March 1693, cardinal in 1737, bishop of Padua, elected pope the 6th July 1758, and crowned the 16th; died the 2d February, 1769

Affair of Malagrida in Portugal.—Quarrels with the Duke of Parma, &c. p. 320—322.

258. Clement XIV. Vincent Antoine Ganganelli, born the 31st October 1705, at St. Archangelo near Rimini, Cordelier, cardinal in 1755, elected pope the 19th May, 1769, crowned the 4th of June, of same year, died the 22d Sept. 1774

Abrogation of the bull 'In cœna Domini.'

—Suppression of the Jesuits, p. 325—359.

259. Pius VI. John Angelo Braschi, born at Cesena the 27th Dec. 1717, cardinal in 1773, elected pope the 15th Feb. 1775, crowned the 22d of the same month, died 29th Aug. 1799

N.B. In the above Chronological Table of the Popes, the names of Clement VII. Benedict XIII. Clement VIII. and Felix V. will

be found twice : the latter however are considered as the true successors of St. Peter ; this distinction is refused, or but partially allowed, to the first Clement VII. to Peter de Lune, to Gilles de Mugnos, and to Amadeus Duke of Savoy.

END OF THE FIRST VOLUME.



ERRATA TO VOL. I.

- Page 9, line 10, for *Vitalien* read *Vitalian*.
 44, 16, for *Lewis's* read *Louis's*
 17, for *Lothario* read *Lothaire*.
 47, 19, for *Charles the Bold* read *the Bald*.
 48, 1, for *brother* read *brothers*.
 62, 6, add, after the word "*Arbiter*," of *their pre-*
 tensions, in order to obtain.
 81, In note, place the comma after *says*.
 87, 24, for *John XVI.* read *John XIV.*
 133, 29, for *Celestine III.* read *Celestine II.*
 135, In notes, for *Otho* read *Otto*; for *Frid. re*
 read *Frider.* and for *Moscow* read *Moscow*.
 143, In notes, for *Otho* read *Otto*; for *Gert* read
 Gest; for *Anoborb* read *Anobarb*.
 160, In notes, for *Innoc. 3* read *Innoc III.*
 266, In reference to *Appendix* read *Appendix A.*
 304, 8, of notes, for
 Will prove to us no *other* father-saint.
 read
 Will prove to us no father-saint.
 Leave out the inverted commas at
 "*And hell*," &c.
 307, For reference to page 302 read 272.
 9, of notes, add, *Memoirs on the Affairs of the*
 Church of France, vol. 13, page 427 of
 the Works of D'Aguesseau.
 343, 2, of notes, for *Ulypsip* read *Ulyssip*.
 345, 5, of notes, for *Necturius* read *Nectarius*.
 346, for *St. Cenaclet*, in some impressions, read
 St. Anaclet.
 8, for *now*, in some impressions, read *how*.
 355, 8, for *Steshen* read *Stephen*.
 18, for *Quarrells* read *Quarrels*.
 362, 1, for *Imocent* read *Innocent*.
 364, 4, for *Concradine* read *Gonradine*.
 15, for *Rhodolph* read *Rodolph*.
 365, 21, for *Cajatan* read *Cajetan*.



The Power of the Popes:
OR,
AN HISTORICAL ESSAY
ON
THEIR TEMPORAL DOMINION,
THE ABUSE OF THEIR SPIRITUAL AUTHORITY,
AND THE
WARS THEY HAVE DECLARED AGAINST SOVEREIGNS.

*Containing very Extraordinary Documents of the Roman Court,
never before published.*

TRANSLATED FROM THE FRENCH.

VOL. II.

T I M S,
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1838.

HISTORICAL ESSAY,

&c. &c.

CHAPTER I.

GENERAL REFLECTIONS ON THE ENTERPRIZES OF THE COURT OF ROME.

WE propose to collect into this volume some monuments of the ambition of the Roman Court, and of the honorable resistance which the Gallic Church has not ceased to oppose to the attempts of the popes.

The seven earliest ages of Christianity furnish us with no authentic document in favour of the pontifical power. For seven hundred years, the bishop of Rome was but the first bishop of Christendom ; he was not induced to consider himself as the absolute sovereign of the Church, nor as the superior and judge of the kings of the earth. The ecclesiastical decrees emanated from councils, especially

general councils ; and the civil authority, altogether free and independent, obtained from the clergy, the synods, and the popes, the homage and obedience which are due to it. Such was, in those early times, the spirit of the Church ; it was the result of the maxims laid down in the gospel and the writings of the apostles.

There was made in the eighth century no new revelation ; Jesus Christ has not come to say to the the pontiffs,—“ Be the rivals of emperors, (1) and “ oblige to be rendered unto you that which is due “ to Cesar ; (2) exercise over the clergy a despotic “ rule ; (3) amass treasures ; let the people and their “ kings become your tributaries.” Saint Paul has not prescribed to us, never to resist the successors of St. Peter, to reverence their frivolous caprices, and to transgress on their behalf the laws which regulate and maintain empires.

Without doubt, that which was practised during those seven centuries, in which the church more brightly shone with the lustre of the Christian virtues, is preferable to the abuses which, at a later period, have altered its primitive institutions, tarnished its lustre, and depraved its pontiffs. It will not be pretended that the true principles of the

(1) *Reges gentium dominantur eorum, vos enim non sic.*

(2) *Reddite quæ sunt Cæsaris, Cæsari.*

(3) *Neque ut dominantes in cleris.*

ecclesiastical ministry are to be sought for, in the life of Boniface VIII. of Alexander VI. or of Julius II. rather than in the writings of St. Leo, of St. Augustine, or of St. Chrysostom ; and there is no reason to suppose that, in order to take a just view of the government of the church, it is requisite to consider what has been said, or what has been done, during those barbarous ages, in which the grossest corruption and ignorance prevailed.

Yet this is what it is necessary strictly to maintain in order to defend the pretensions of the court of Rome ; and this is in effect what the ultramontane theologians assert. They have distinguished two ages of the church : the age of childhood and of weakness when, either persecuted or protected by princes, it was necessary that it should ‘tolerate,’⁽¹⁾ their rule, and that it should pursue those evangelical precepts, established to provide for the necessities of such a period : secondly, the age of vigour and of power, since which the church has subdued the nations, covered their people with its shadow, and reigning over immense regions, has crowned and governed kings. Bossuet⁽²⁾ conde-

(1) This is the word which Bossuet employs in giving an account of the opinion of the Ultramontanes. *Rectè enim jussam TOLLERE reges, quos compescere infirma not posset.*—*Def. Cl. Gall.* p. 11. l. v. c. 17.

(2) *PUDET profecto me discriminis illius, &c.*—*Def. Cl. Call.* p. 11. l. v. c. 17.

ascends to dispute this distinction, or rather he is ashamed to see himself compelled to retrace it. "What!" he says, "when Jesus sends you forth as sheep, he charges you to be lambs only till such time as you may be sufficiently strong to become wolves!" What! Jesus confines himself to giving you the counsel, to disguise yourselves in sheepskins in order to deceive, and, to subdue the princes whom you shall approach under such mask! What! you wish that the gospel become but a manual of hypocrisy and imposture! And you measure the prosperity of the church, but by the opulence of its ministers, but by the pomp of its chief prelate, and the terror which the paraphernalia of the pontifical sovereignty inspires the nations and their rulers with! When the glory of Christianity is confined to rendering men holy, to rectifying their religious ideas, and to regulating their moral habits; when its influence but consists in civilizing the people, enlightening their chiefs, and in establishing concord in the bosom of families or of provinces; when the pontiffs cause themselves to be revered only by their superior knowledge, their talents and their virtues, it is then the Church appears to you imperfect, childish, and still a novice, and that you bitterly lament its weakness! But when, after the seventh century, you at length behold the chief pastor of the flock of Jesus Christ, threaten em-

perors, excommunicate, curse them, lead their subjects to revolt, authorize or command disobedience, induce anarchy, and kindle and perpetuate civil war; then you recognize the Church; then behold it, according to your doctrine, in all its lustre, in all its power; and such is the high destiny to which you wish it may have been appointed by its Founder.

No sacred text, however, no trait of the edifying annals of the church of the first age, can serve as an authority or pretext for the establishment of the papal power; it became necessary to forge documents which might appear to institute or to recognize it. Accordingly in the eighth century the Donation of Constantine, an emperor of the fourth century, was fabricated; yet they obtained from Pepin the Short, and from Charlemagne, some real concessions, but so limited, that they have not thought proper to preserve the monuments of them. As to the grant of Louis-le-Debonnaire, of which they produce the copies, it is, nevertheless, a false document, the work of an impostor of the eleventh century, as Muratori has demonstrated. Since the advances of judicious criticism have universally discredited these pretended records, the Court of Rome has abstained from mentioning them, and does not much relish that they should be recalled. She opposes even their own discredit to whoever wishes to adduce them, and pretends that on such subjects all discussion is superfluous.

Well! you require that the donation of Constantine be no further mentioned! but, in the eighth century you fabricated it; but, you have produced it as the most decisive of your titles; but, during more than 600 years, you have impressively cited it; you inserted it in your codes, you permitted not its truth to be questioned; but, in 1478, you burned those who refused to believe in it; but, in 1712, you had not ceased to require that the grant of Louis-le-Debonnaire should be recognized as authentic; you deplored the blindness and misfortune of the times in which it was dared, as you said, to treat as apocryphal a deed, consecrated by all antiquity; but, finally, all these acts, disavowed in time of need by the partisans of the Court of Rome, this court itself is at all times cautious of rejecting expressly; and to-morrow, if she again became sufficiently powerful to compel us to revere them, we should confess under pain of excommunication, that Constantine did cede the Empire of the West to Sylvester, and that the popes received Sicily and Sardinia from Louis-le-Debonnaire, who never possessed them.

Other documents forged in the eighth century, under the name of "Decretals," have had still more influence; they profess to be Epistles written by the Popes of the first centuries, and thus attribute an ancient origin to the new prerogatives with which they gratified the Bishop of Rome. No person in the present day advocates the authenticity of these

letters. The forgery of them is as evident as would be that of a statute of Henry IV. nominating a prefect for the department of the Deux Nethes, or in determining the qualifications of a justice of the peace. They are therefore known under the denomination of 'The False Decretals,' and the Holy See permits them to be so designated; yet are they not the less the foundation of all canonical jurisprudence. In the twelfth century, Gratian incorporated them into one code, which the popes sanctioned, and which was taught in the schools as the principal code of laws of the church. In the thirteenth century, Gregory IX. and Boniface VIII: in the fourteenth, Clement V. and John XXII. published other collections, in which the maxims of the "false decretals" were again produced, renewed, and applied to, all the details of the ecclesiastical administration, and, as far as possible to even civil affairs. Thus in the very acknowledgment of the falsity of the decretals of Isidore, or at least, in declining to support their authenticity, the Court of Rome admits of no other legislation than that, of which these decretals have laid the foundation, and fixed the spirit and character. There is, says she, a prescription of a thousand years!

If prescription was admissible in favour of imposture, of anarchy, and of rebellion, it would nevertheless be cancelled by the perseverance, and by the splendour of the reclamations made by the Church of France, against the monstrous abuses

which the Popes attempted to erect into rights. All then we have to remark here is, that the jurisprudence which they take advantage of, is the fruit of the grossest fictions; that it extends only up to the eighth century, and, that all the codes composed since, under the instructions of the popes, are impregnated with the errors of the original imposture.

One fact, which will result from the the first series of our justificative pieces, is, that since the accession of Gregory VII. to the pontificate, up to the moment in which we write, the Court of Rome has not ceased to assert itself the Sovereign of Kings. It has constantly challenged the right, to crown them, to depose them, and to reform the acts of their government. It is true that, according to circumstances, it has modified this doctrine; sometimes in daring to put it in practice, often presenting it only under threatening forms; sometimes by publishing it in the most positive terms, sometimes in covering it with the veil of vague expressions, or even confining itself to depositing it in clandestine writings. But, among an hundred popes the successors of Hildebrand, we can scarcely count five, who have not demanded, with more or less audacity or subtility, the enormous power which this famous pontiff had assumed.

That the power of the pope has no limits; that at his feet ought to bow all the dignities of the church, and of the empire, the will and pleasure of the sovereign: and of the people, such is the result of all that

Gregory VII. has said, written, and done. Nothing, is so simple as such a system ; and, however monstrous it may appear, it is the unchangeable doctrine of the Holy See. We meet with it again, as we have said, in the Edict of Gratian, one of the most remarkable monuments of the twelfth century. In the thirteenth, Innocent III. and Boniface VIII. proclaim and develop it. In the fourteenth John XXII. and Clement VI. employ it against Louis of Bavaria. In the fifteenth, even after the schism of Avignon, and, regardless of the decrees of two grand councils, it lived still and was respected more than ever in Italy. In the sixteenth Julius II. supported it with arms in his hand ; it presided in his councils and in those of his successors, and it determined their purposes. In the seventeenth, the popes dared to treat as heretical four propositions which denied it, and succeeded by the force of intrigue in rendering them inefficacious. In the eighteenth, solemn homage is decreed to Gregory VII. and his unjustifiable encroachments on the imperial authority idolized. The nineteenth, which has but now commenced, presents the more than ever ridiculous attempts to re-establish the Theocracy.

The last ages will furnish us with some specimens, little known, which will place in evidence the obstinacy of the pontifical pretensions. We shall see the most exaggerated rules established as axioms, in the secret consultations of the Roman Court. We

shall see the popes, when the particular conjuncture had forced them to pay public respect to the civil authority, retract it, instantly, by secret protestations, written wholly by their apostolic hands. They believe themselves altogether exonerated by these clandestine retractions, from all the obligations they appeared to have entered into, in signing any treaties, promises, transactions, or declarations, whatever.

Strange phenomenon even in the history of human perfidies ; for, though it may be too common to break engagements, and even to enter into them only with the design of profiting, when occasion offered, by the breach of them, yet it is rarely such resolutions are committed to writing, or that we see revised with care avowed projects of faithlessness. What a lengthened space we must go over, from the morality of nature and of the gospel, to this last goal of policy and civilization ! What epithet shall we apply to a court, which considers itself so superior to others, that it can never become their debtor, not even for that which it had solemnly promised them ? and what human actions can we tax with disloyalty or treason, if we are compelled to absolve these mysterious perjuries ?

The pontifical archives undoubtedly conceal other still more important secrets, which may serve some future day for public instruction, as they shall be discovered under piles of insignificant writings. Truth will oblige us to insert, even now, among our

justificative pieces, the well-known letter of Louis XIV. in which he retracts, in 1693, the four articles of 1682, or at least promises the pope, that he will not cause the edict to be executed which relates to them. Such is the abject condition to which this monarch could descend, from the time that, in revoking the Edict of Nantes, he had renounced the generous and noble principles which, even to the year 1685, had almost invariably directed his administration. But let us here admire at the stubbornness, and at the power, of the Romish Court. Four propositions are published, of a demonstration almost immediate, and of such simplicity, that they could become celebrated only by the effrontery of those who disputed them. They are adopted by the clergy of a great kingdom, a clergy then venerable, and to which the talents and the virtues of most of its members had secured the esteem of all Europe : they are revised by the most illustrious prelate of this brilliant era, and whose name alone would be an authority, if one were necessary to be added to the monuments and traditions of antiquity from which these four articles are extracted. The greatest monarch of the age proclaimed them, seemed to strengthen them by his own immediate power, and to array them with the splendour of his reign and the majesty of his throne. None of these considerations discouraged the successor of Hildebrand, they were of no avail. Yet, to condemn

these four maxims, it is necessary to maintain, that the pope has the right of overturning the laws and customs of every church ; that his decisions are always incapable of reformation, even when the church has not by its consent confirmed them ; that he acknowledges no authority superior to his own, not even that of general councils ; and, in fine, that his privileges extend themselves over the civil and temporal acts of sovereignty. Here are assertions revolting indeed, and of which it were hard to expect the success, at the end of the seventeenth century, in the bosom of knowledge, when the prince they insult could arm against them, the zeal of the magistrate, and the genius of the philosopher. Yet it avails not, the pope determines to prevent the execution of the edict which ordains the four articles to be taught ; and, this edict of an imperious monarch shall remain without effect, Louis shall be encompassed with perfidious counsels, Jesuits and mistresses shall blind him to the interests of his throne and of his glory, and, he shall sign an ignominious retraction.

This letter of Louis XIV. interrupts the succession of honorable monuments, which, from the time of St. Louis down to our own days, attest the resistance of the French government to the enterprises of the Roman pontiffs. We can ascend beyond the time of St. Louis, and call to mind the energetic epistle of Hincmar to Pope Adrian II. and the

replies of Philip-le-Bel to Boniface VIII. ; but Louis IX. has merited, by his virtues, to be esteemed the first defender of the liberties of the Gallican Church. He has published them in a solemn document, and almost all the successors of this pious monarch have, after his example, repressed the ambition of the bishop of Rome.

There have been published a long time past, in support of the maxims of the Church of France, many volumes of pieces extracted principally from the treasures of parliamentary registers and charters. The decision from them is, that our kings have never consented to be dependent on the pope ; that our ancestors have never ceased to declare to be insulting, not only the excommunications, but even the citations of the king's subjects to the court of Rome ; and the proceedings of those who, declining the royal justice, dared to seek redress before an ecclesiastical tribunal ; that the bulls of the popes, and even the decisions of the councils, were published only in virtue of the orders of the king ; that an appeal lay from the pope's decrees to a future general council ; that the bishops promised fidelity to the monarch, and could not without his consent leave the kingdom ; that laws, often efficacious, were opposed to the exactions of the Romish court ; that the receipt even of her usual tribute, and which she impatiently looked for, was sometimes suspended ; that a legate a latere never appeared in France, until letters

patent had sanctioned his mission ; that the ecclesiastics were amenable to the ordinary tribunals, in criminal as well as in civil matters ; that the parliaments and the royal judges, in an especial manner, restrained seditious sermons ; that strangers could not become in France, either incumbents or superiors of monasteries, save in virtue of an especial grace, seldom extended by the king ; that, without his express permission, no ecclesiastical or monastic establishment could be formed ; that the property of the clergy, whether secular or regular, could only be acquired, transferred, or administered, conformable to the civil law, and that, finally, the royal authority, extending its watchful care even over the liturgy, should prevent the introduction into it of dangerous innovations.

Such are, in France, the principal results of the monuments of the public administration, in those things which relate to the Pope, the Bishops, the Monks, and the Priests. We cannot too highly praise the honourable perseverance with which the Parliaments and the Universities defended these maxims : the clergy professed them in 1572, and again recognized them in 1682, that is to say, at the period in which that body most deserved to be revered, for the superior merit of a large proportion of its members. In disavowing, towards the end of the seventeenth century, these wise and ancient laws, the clergy drew along with them in their defection the very govern-

ment itself ; at first, from 1698 to 1715, during the old age of Louis XIV. subsequently, from 1726 to 1743, under the ministry of Cardinal Fleury. But such trifling gaps only render the line of evidence which they interrupt the more apparent, as we shall still further establish by a second series of "justificative pieces."

The third part of this volume will relate to what passed between France and Rome since the year 1800. After the violent storms which had hurried the French far from the liberties of the Gallic church, a hero, desirous to restore to public manners their ancient base, resolved to build up the altars, and protect the exercise, of every religion, to distinguish that of the greater number by peculiar homage, and to re-establish the honors of the Popedom itself. Covered with the immense glory, which the benefits derived from his genius obtained for him, the Emperor of the French was desirous to reflect a portion of its rays on the Bishop of Rome ; he assigned him venerable functions in an august ceremony, and, the splendour of an imperial crown, which the nation had decreed, seemed to reflect itself for a moment upon the pontiff who consecrated it. This pontiff then felt the value of these distinctions ; he rendered his acknowledgments for them. In the name of the Church, he celebrated the sovereign who had brought her consolation ; he declared that, next to God, it was to the emperor of the

French religion owed its regeneration, from him, derived its new lustre. Then, notwithstanding, the organic laws of the Concordat were in full force ; they had been published at the same time as the Concordat, and concerted, like it, with agents of the pope. Then also the civil code established in France, began to be introduced throughout the whole of Europe. Then in fine existed as at the present time, all the dispositions relative to marriage, divorce, the conditions of men, and liberty of conscience. The pope raised against these laws no public reclamation ; and there was reason to suppose he was himself sensible of their profound wisdom, since they did not restrain him from rendering homage to the hero who had framed them, or from acknowledging him, next to God, the most distinguished benefactor of the Catholic Church.

Suddenly, in 1809, four years after these expressions of thanks, without any infringement of the articles of the Concordat, or rather, after the experience of new benefits, after laws which secured to the bishops, to the clergy, and even to their pupils, an existence more and more honorable, the pope accuses France of irreligion, he grows angry, he threatens, he pouts, he gets stubborn, he whets the rusty arms of the Vatican, and the shafts fall forceless from his imprudent hands, almost unknown to those he dared to outrage.

Zealous pontiff! what is then the object of your

complaints? What do you seek for? That the temples of religion may be opened, restored, embellished, and frequented? they are so throughout the Empire. That the faith may be preserved pure and untainted? no one purposes changing it. That public homages may encompass the sacrament and thier mysteries? the law exacts it. That pastors may be given to each division of the flock of Jesus Christ, curates to the parishes, and bishops to the dioceses? you alone assume the privilege to refuse them. In fine, that christianity may triumph amidst the religions of the earth, and catholicity among the christian communions? this pre-eminence is daily secured by the acts of government, still more than by the faith of the people.—No, it is not the interests of the Gospel which you defend; you wish, while the gospel inculcates only toleration, mildness and concord, you wish, that the protestants may be deprived of the common rights of society, or compelled to hypocritical abjurations; you dare, in your obscure writings, tax the impartial justice of the laws. It is to be indifferent, according to you, among the various modes of worship, not to be cruel and unjust towards those we do not profess; and we should be replunged to-morrow into the abyss of religious dissensions, if your pontifical intolerance could again obtain a remnant of influence.

The Gospel is of little concern to you; but you

demand back the gothic jurisprudence, which, born of imposture in the bosom of darkness, attributed to your predecessors a most fatal authority over the affairs of men. You presume to amend laws purely civil, which Europe envies the wisdom of, and which all the provinces of the Empire bless and revere, as one of the greatest benefits and most august works of their sovereign. If we must believe you, you would be the supreme legislator of the nations, and we should obey no decrees but such as it would be your good pleasure to sanction.

To propagate the gospel is not the care which troubles you: you are more impatient to abolish the ancient traditions which tend to limit your power. Since the termination of the year 1804, you have secretly required the abolition of the Four Articles of 1682. You dared to expect, that in the midst of the troubles we have passed through, we must have lost the remembrance of these maxims and the sense of their importance; you represented them as useless subjects of controversy, which kept up between Rome and France a grievous source of misunderstanding; and your desires, too impatient to be circumspect, addressed themselves to that very Hero whose generous purposes and superior knowledge they had most reason to dread.

A sufficiency of your subalterns preach the gospel; but for you, sovereign pontiff, you rather dream how to revive the theological quarrels which seem

to you too quietly to rest. In 1805, in the account which you gave of your return to Rome, and of your passage through Tuscany, you take the trouble expressly to proscribe the errors of Baius, of the Jansenists, and of Quesnel ; pitiful errors ! so wholly forgotten, that your new anathemas, not less deplorable than they, will never succeed in restoring them. But it is too well known, that you need these dissensions in order to reign ; heresies are requisite to give lustre to your power, and nothing could turn to less account for you than the profound tranquillity of gospel peace.

Once more, your concern is not in evangelizing, but in reigning ; and the loss which indeed affects you is that of your temporal power. It is because you are no longer a king, that the French appear to you no longer catholics ; it is because you no longer possess a principality in Italy, that you discover, after four years, heresies in the civil laws of the Empire. You have been reduced to the condition of St. Peter, and his ninety-nine immediate successors : like them you are relieved from every terrestrial administration, released from every political care ; like them, you are permitted to yield yourself up without distraction to your pastoral office, and the practice of all the sacerdotal duties. But these duties do not suffice you any more ; the privileges which have been torn from you were much more dear to you ; you prefer, not to ex-

ercise any function, rather than to limit yourself to that of the pontificate ; you obstinately desire that the Church may never have a chief pastor, if Rome should have another sovereign than you. In one word, you seek not for the coming of God's Kingdom, but that yours may be permitted to return.

Such are the vexations, the regrets, the desires of the Roman pontiff, and the true motives of his strange conduct. For this cause, he lavishes his anathemas and spurns the institutions ; but never will the Four Articles, in which the church of France prides herself, be sacrificed to him, nor yet the rights of the peaceable citizen who professes a different faith.—Will he ever obtain a principality in Italy and a legislative power throughout the empire ? We have at least, very strong reasons to doubt it.

It cannot be too often repeated, that marriage is a civil act before it becomes a sacrament. There are few theologians mad enough to assert, that marriage cannot exist out of the Catholic Church. Now the contract, that it is necessary to recognize in the professors of another faith, does not change its nature by the introduction of the church into a state. Of all the contracts which constitute and perpetuate society, marriage is the most strict, the most requisite, and that which recommends itself the most seriously to the attention of the sovereign. In such a matter, the duties of the legislator are too

weighty to suffer him to transfer them to the shoulders of a pontiff, or to assemblies of unmarried priests.

That we can collect from the Bible some words by which it may be proved, that the nuptial benediction is one of the seven sacraments of the New Testament, is a point of doctrine that every catholic ought to revere, and on which the civil authority ought to refer itself to the ministers of religion. But that, in becoming a sacrament, marriage changes its character, and loses that of a civil contract; that, in consequence of this, the priests may assume a right to revise or modify the laws which relate to it; that they should think of creating one knows not what obstacles to the conjugal union; that they should assert themselves to be invested with power to prevent, to dispense, to permit; it is the extreme of ambition in the clergy, of ignorance in the people, and of patience in the magistracy, which could tolerate such revolting confusion. We have been unable to read without indignation those writings, in which the Court of Rome holds as "null" the marriages contracted agreeable to the civil code, and we know not any more serious enterprize against the laws, than that which consists in questioning the validity, the sacredness, of the compacts which they authorize, and of which they have defined the necessary conditions.

The ecclesiastical office ought evidently confine itself to offering to those who are to be, or to those

who are already married, moral instructions, and counsel purely religious, and in communicating to the married persons, who require it, the seventh sacrament. To be desirous to attach to these pious acts civil purposes, is a gross error, a culpable usurpation, and one of the most pernicious abuses introduced into the Christian Religion. We have seen the priests transform themselves into compilers and depositories of the deeds which verify the conditions of men, and thus lay the foundations of a general Theocratic Government.

But it must be confessed, that it is not ambition alone which has created, sustained, and perpetuated these disorders : avarice also has had its share. The clergy, already endowed with rich domains, and not contented with adding to the revenues of these real estates the direct impost which they term ‘ tythes,’ succeeded in subjecting the people to the most extensive system of indirect tributes that ever was conceived ; tributes which are inevitable, which every person must pay, in his birth, in his marriage, and in his death. Superstition and vanity increase in various ways the first and the third of these imposts ; but the second, though not paid by all, was nevertheless the most productive, not only because the same contributor might pay more than once, but principally, they knew how to render them susceptible of progressive augmentations, according to circumstances, by the se-

riousness of the impediments called canonical, and the extent of dispensations. By this industry the products have become so considerable, that the Court of Rome has been enabled to reserve to itself a large part. We cannot doubt, that to the fruitfulness of this tax, as much as to the theocratic pride of the bishops of Rome, we may attribute the unsocial and truly anarchical doctrines, which have more or less vitiated, in most of the European States, the laws relative to marriage.

The civil code, which, dissipating for ever these pernicious errors, has restored to the conjugal union its essential character, is a benefit of which society cannot yet be aware of the full value. The court of Rome feels it most sensibly, as we may be convinced by the bitter regrets it bestows on those abuses which these laws tear up by the roots, by its obstinate efforts to perpetuate the foolish doctrines which they confute, and, finally, by the zeal with which it maintains certain ceremonies, which resemble so many public protests against these laws.

The ceremonies of which we here speak are not sacramental ones; but, in order that what we have to say on this important head may be understood, we are obliged to recur to an explication altogether scholastic.

Theologians distinguish, in the administration of the sacraments, certain elements, certain acts, and certain words, or formulas, strictly necessary, and with-

out which, say they, the sacrament would not be actually communicated. They give to these substances, or indispensable actions, the name of "matter," and to the words essential, or formula, the name of "forms": after which, all the other substances, actions, gestures, and words, employed in the celebration of the sacraments, are nothing more than accessory ceremonies, that may be omitted without any danger of rendering it null.

This settled, let us demand of the theologians, in what consists the "matter" and "form" of the sacrament of marriage; and if they do not perfectly coincide in defining both one and the other, let us respect as essentials all the various ceremonies which they shall have some reason to consider as appertaining to this "form" or to this "matter." But, when, examining subsequently the ceremonies acknowledged to be casual, we shall there observe, notable outrages against civil authority, contradictions given to the law, discourses, in fine, which pretend, or even declare, the non-existence of a legal contract published by the magistrate in the name of the sovereign; without doubt it will be permitted us to accuse such accompaniments of being something more than superfluous. Let us dare to re-assert it, they thus scrupulously preserve them but as protestations and monuments of the theocratic system, of which they look forward to the future resurrection.

But a disorder much more important, a calamity

much more afflicting for the Roman state, for Europe, and for religion, was the temporal sovereignty of the popes.

There is no scourge in the world that has not been applauded, for there is, in fact, scarcely one vicious institution, which does not present at least some tolerable details. It often suffices to isolate and embellish those particulars to hazard a recommendation of the establishment to which they refer: and it is thus that complaisant writers have cried up the papal government. But authors in general have treated of it with more justice: and as they deal besides with a government established nearly ten centuries, which has had all that time to exercise its faculties and powers, the question reduces itself into, what have been its fruits, that is to say, what is the condition of the soil, of the population, of the agriculture, of the manufactures, of the commerce, of the private fortunes, of the public riches, and finally, of the manners and literature of that country which now escapes from under its hands? The pontifical court lived on the contributions of half Europe, but the principal part of the Roman population existed on parsimonious charity: such were the two springs which preserved the life, or rather the languor, of the state, and which perpetuated the sloth and superstition from which they themselves had birth.

Europe had been but too happy, if the temporal sovereignty of the popes had cost it nothing more

than the tributes, shameful though they were, of which we have spoken. But a pontiff king, who arrogates to himself under one of these titles what he cannot claim under the other, who irritates by his maledictions, combats with his anathemas, and supports in the name of Heaven the interests of a terrestrial ambition, such prince is necessarily the most dangerous rival which other sovereigns ever had reason to dread. This conclusion, which the history of a thousand years has confirmed, is consistent with the nature of things : and it were impossible that the popes, invested with this double power, should not aspire to universal monarchy. They have excited and prolonged more than one half of the wars which, since the death of Charlemagne, have not ceased to deluge Europe with blood ; but this horrible influence was, we must confess, less their crime than their destiny : this function had been as it were conferred on them, in suffering them to unite political power with the ministerial office. Hildebrand, Innocent III. Julius II. and the most wicked of the popes, have only been the most faithful to their vocation.

But if, in destroying the monstrous alliance of the priestly office with royalty, the Emperor of the French has closed the severest wounds of Europe, he has not the less benefited, by this act of universal equity, the interests of religion itself. What scandal, in fine, could more severely afflict it than this

worldly pride, this unhappy ambition, this insatiable avarice of the successor of St. Peter ? What more irreconcilable still with the gospel, and all its sacred texts which relate to the priesthood ? Doubtless, if Jesus Christ had desired that the pontiffs should become kings ; if he had considered royalty as beneficial to Christianity, he had himself instituted it, exercised it, or at least had not so repeatedly published the decisions which condemn the establishment of it. He had not said, nor had his apostles repeated it after him, that his kingdom was not of this world ; that the priests should only exercise a pastoral care ; that it did not belong to them to rule ; that they were never to emulate the princes of the earth ; and, that they are unfaithful to their vocation when they interfere or suffer themselves to be implicated in secular affairs. The temporal power of the popes was too much opposed to the gospel not to become soon indeed fatal to the Church. The greater number of the schisms, heresies, and religious quarrels, which for ten centuries have disturbed the world, are imputed by history to this fatal power.

It is this, which by the excess of its abuses, has provoked these disorders, it is this which has extended, envenomed, and perpetuated them, by its rash anathemas ; it is because of its existence, that Christianity sees itself divided into such various communions ; and it is only because it is now ex-

tinguished that it will never more kindle new dissensions.

In the present state of the human mind and of knowledge, a new heresy is scarcely possible in Europe. There is generally all the respect which they merit for the doctrines of religion, and never were men less disposed to contest with the priests the right of exclusively inculcating them. Formerly emperors of the East discussed, and sometimes erred respecting, what relates to the divinity of Jesus, his peculiar person, his two natures, and his two wills; at the present period, sovereigns think rather how to govern their states, and abandon to the clergy dogmatical discussions, reserving to themselves the simple power of preventing those dogmas from being converted into articles of legislation or of policy. Such abuses are not without precedents: during the disputes about investitures, the claims of sovereigns were branded as heretical; and after the year 1682, they ventured to apply this odious character to the Four Maxims of the Gallican Church. It is therefore important to trace on all occasions a precise boundary between that which is doctrine and that which cannot be such.

Nothing had been more useful than a code of dogmas in which were embraced all these tenets, without any mixture of opinions which had not acquired this specific character. Never have we been able to obtain, either from the popes or from

general councils, this efficacious preservative against disputations, and the futile accusations of 'heresy.' But in fact there exists three creeds, attributed, one to the apostles, the next to the council of Nice, the last to St. Athanasius ; without entering into any discussion on their authenticity, we may assure ourselves at least, that they are ancient, and, it would appear, ought to contain all that a Christian is obliged to believe. However this may be, it is at least certain, that the church has received no new revelation, that it has made no new discovery in theology, and that consequently they cannot charge us to believe, save that which was believed by our fathers ; which excludes, in matters of faith, every decision that tends, otherwise than literally, to renew a previous one. To renew, we say, and not to amplify by way of induction : for such is the nature of the mysterious doctrines of Christianity, that they admit not of conclusions similar to those drawn from the propositions of human science. To these considerations, which circumscribe more and more the region of doctrine, let us add, that they never can relate but to the attributes of God, to spiritual substances, to the future state of the soul, the incarnation of Jesus Christ, our redemption, the grace which sanctifies us, the sacraments which communicate it, and other mysteries like these, altogether remote from the administration of empires, the duties of subjects, and the rights of sovereigns. Here then is, it appears,

more than is requisite to preserve from every heresy, and to repel the impositions which have for their object, the erection into doctrines the ambitious pretensions of the clergy or of their chief.

Now we require to know, what is the object of the actual conduct of the most-holy father? what effects will his obstinacy produce in declining to fulfil his pontifical duties, and in forgetting what is due to the authority of his sovereign, of his benefactor, of him to whom under God, he owes every thing?

Does he seek by such means to recover a kingdom in this world? On the contrary, he risks the ecclesiastical administrations with which he is environed; the secretaryship, the chancery, the datary's office, the penitentiary; the congregations of the holy office, of the propaganda, of the index, of canonization, of privileges, and perhaps, the college of cardinals itself. His Holiness demonstrates, by the event, that they can now, as well as in the first ages of the Church, dispense with these expensive institutions, that religion requires not this mass of scaffolding, and that Jesus and his apostles, who certainly never conceived an idea of them, had, nevertheless, omitted nothing necessary for the propagation and lustre of the christian religion.—At least, we too well know what mischief each of these divisions of the pontifical government has produced, what superstition it maintained, what falsehood it spread, what absurdities it has perpetuated;

what discord it has fomented, and of what description of persecutions it was the instigator ; but as to discovering the services rendered by these administrations, to religion, to morality, to letters, to the sciences, to the people or to their sovereigns, the undertaking would be difficult, and perhaps, would prove unfruitful.

Would his Holiness derive hope from troubling the public tranquillity, agitating the minds of men, leading them into revolt, and finally to shake even the sovereign authority ! In truth this project, in virtue of its puerility and lack of means, almost merits to be declared innocent in spite of the criminality of the intention. It supposes a total ignorance of the present state of the French empire and of Europe. Let the bishop of Rome persevere, after the expiration of the eighteenth century, to speak still in the language of Hildebrand, one may conceive such obstinacy ; but it is carrying stupidity too far not to perceive that the people are no longer what they were in the middle ages ; and it is the extreme of blindness to be insensible to the invincible power of the august hands which now govern the destinies of the empire. The public mind has made too much progress, and religious sentiment is become too pure for fanaticism to be so easily awakened. The nations will no longer mistake for the cause of God, that of a bishop, who demands the restoration of a temporal power of which the Gospel interdicts him

the exercise. The only effect, which the display of his anger could obtain would be, to furnish matter in certain holes and corners to lively disputes between priests, or tedious dialogues among idle women. It is certain, that in the places removed from the centre of empire, and where the general movement of the affairs of Europe is scarcely perceived, the smallest object acquires importance, and a bull itself, a brief, a monitory, may excite an interest. Considered in this point of view, the manoeuvres which the holy father indulges himself in are not without their inconveniences, as they tend to introduce division in places the most tranquil, to disturb the peace of families, and to take off the attention of wives and of masters from their domestic duties. But serious as is this injury, and culpable as he must be who causes it, there is nevertheless a wide difference between it and the evils produced by seditions, civil wars, and the general overthrow of society. A pope may indeed be still an inconvenience, but it is no longer in his power to be a scourge.

The more immediate effect of the conduct of the most holy father would be, to prejudice infinitely the advancement, and even the preservation of Catholicity. It is putting to a very strong proof the faith of the people of the 19th century, to place so immediately before their eyes this rude spectacle of pontifical egotism. Many of the popes have scandalized, in various ways, the world ; but this is the

first specimen of an evangelist abandoning all care of souls, to occupy himself alone with temporal concerns, renouncing the exercise of sacred functions, because no longer permitted to discharge profane ones, and neglecting all his duties to lament, more at his leisure, the loss of his treasures. We may demand, what more could a pontiff do who should despise in secret the doctrines which he taught ; and, when the head of the church evinces his faith so badly by his works, to what danger may not the simple faith of the vulgar be exposed ? What a triumph for the schismatic communions, for the heterodox creeds, whose ministers, submissive to the laws, and faithful to the sovereign, religiously practice that gospel which we accuse them of not understanding. But, to whatever dangers the pope may have abandoned the church of France, the providence of God, and the genius of the sovereign, preserve it from all heresy, from every schism, and even from all disturbance. They shall not be tempted to contest any doctrine ; they shall be tender of injuring them ; and, if there should be need of regulations to maintain the succession of pastors, and to prevent the public worship being interrupted, these regulations, drawn from the seven first centuries of christianity, shall oppose themselves alone to the " False Decretals" and the maxims of Hildebrand.

The means which the popes employ in the present day to abolish divine worship in France is, to refuse

canonical institution to the bishops nominated, and to be nominated, agreeable to the concordat : he hopes that this refusal, prolonged during a sufficient number of years, shall extinguish the episcopacy, the priesthood, and the administration of the sacraments ; and that, in order to recover a liturgy, it will be finally necessary to restore him a kingdom. Behold this strange reckoning, this whimsical speculation, lead the holy father away, in the present day, from all the canonical rules, even from those he himself would willingly take advantage of. In fact a bull of institution can never be legally refused, but in case of the incapacity or personal unworthiness of the individual elected.— Here the pope has indeed less a right to exercise than a duty to fulfil ; and it is on his part an unbecoming subterfuge, to substitute his own caprice for the result of the enquiry he should make into the qualifications of each subject. The maxim which we have now asserted is so true, that Innocent XI. respected it, even at the time he abused this right of institution. The elected, to whom alone it was not given, were those simply who had signed the declaration of 1682, which contained, according to her, four extremely pernicious errors.

This was, no doubt, a very absurd allegation : but in fact the reason for not ordaining attached itself to the person of the elected himself under a precise charge made against him ; and caution was observed in avowing a resolution not to confirm

the nomination of the sovereign. In the present day, on the contrary, it is in consequence of the relations in which he finds himself with the prince himself, that the decision is taken not to agree to any of the persons nominated by him, whatever their merit, their principles, or their individual qualifications. It is true that a pretence was made lately of being scandalized by the choice of certain persons transferred from one see to another; but this motive of refusal can be but accessary, since it does not exist with respect to many others whom he is not at all more willing to ordain; it is besides too late, since, before the disputes which have led to this pouting, the translation of bishops has been twenty times authorized to a second, third, and even fourth see. It is certainly the case, that the ancient canons condemned this inconstancy, and that certain fathers of the church discovered in these changes we know not what characteristic of divorce or of bigamy; but it is not very becoming to affect being troubled with these antique scruples, after evincing a greater exemption from them than any of the two hundred and fifty-nine popes whom he succeeds has ever done.

There is more than one christian-like mode of dispensing with institutions so abusively refused. Already the chapters have declared themselves invested with the 'right' of confiding the administration of the diocese to the prelates nominated by the prince. We must avow that this is not traceable to the first ages of the church, not even to

the fifteenth century ; that it reposes alone on modern customs, or upon ecclesiastical decrees of little repute in France ; that, besides, the present chapters exist but by virtue of the Concordat of 1801 ; that they can have no other rights but those which this Concordat confers on them, and that in effect it grants them so few, that abstaining even from expressly creating the chapters, it contents itself with permitting each bishop to establish one ; that, consequently, such chapters neither continue, nor represent in anywise, those which, previous to 1789, under a different system altogether, of laws, of customs, and of circumscription of dioceses, enjoyed many other prerogatives, now lost without remedy. But, in truth, this ‘right’ which the cathedral clergy claim in the present day, to make so honorable a use of, is at least of the class of those new institutions of which the pope avails himself, and which may be opposed to him as arguments ‘*ad hominem*.’

In returning to the subject, we must say with Bossuet,⁽¹⁾ that the investiture of bishops by the pope is a ‘very modern’ custom ; that many churches in the East and in the West, especially those of France and of Spain, have enjoyed the absolute right of installing their prelates without the pope’s bulls, and without having any recourse to the Holy See, as one may easily convince themselves, adds Bossuet, in reading the canons of these

(1) Def. Declar. Cl. Gal. l. 8. c. 15.

churches. Now a very modern usage may be abolished, and a very ancient right be re-established with great benefit to religion. Nothing then opposes itself to a bishop, nominated by the Emperor, receiving canonical institution from the metropolitan ; nor to the metropolitan ; being confirmed by the college of his suffragans.

The intervention of the pope here is by no means necessary ; it is not required by the gospel, nor by the writings of the apostles ; neither by the ancient canons, nor the usage of the earlier ages of christianity.

Since the pope no longer wishes to fulfil the functions conferred on him by the concordat of 1801, it becomes necessary that a solemn act assign them to the bishops, to the metropolitans, and to the patriarchs, agreeable to the ancient legislation of the Church. Here one point alone is found established by the holy scriptures and by ecclesiastical history, that the pope is the first of bishops : as to the functions attached to this primacy, they have taken, in the lapse of years, more or less of extent ; but up to the year 800, they had remained very circumscribed : in proportion as they were encreased, the papacy became depraved, discord divided the churches, the clergy became corrupt, scandals prevailed, and faith almost became extinct. After the example of St. Louis, and of Charles VII, the Emperor of the French can, without doubt, publish a pragma-

tic sanction, which, conformable in every respect to the gospel, to the maxims of the Gallican Church, and to the constitutions and civil laws of the empire, may finally recal the Pontificate to its primitive modesty, and compel it once more to become edifying, or at least, prevent it from prejudicing any longer, the Christian Religion, and the tranquillity of nations.

EXPOSITION OF THE MAXIMS OF THE COURT OF ROME,

FROM THE FABRICATION OF THE "FALSE DECRE-
TALS," AND ESPECIALLY FROM THE TIME OF GREGORY VII. DOWN TO OUR OWN TIMES.

THE records of which the Court of Rome has availed itself were the fabrications of the eighth century of the vulgar era. The ignorance into which both kings and people were plunged, the troubles which agitated the East and the West favored the success of the grossest impostures.

The Emperor of Constantinople, Justinian II. banished, re-established, put to death; Anastasius confined in a monastery; Theodosius compelled to accept, and soon after to abdicate the crown; Leo the Isaurian reviving religious quarrels, setting fire to a library, and delivering at once to the flames its books and the learned men who studied them; his son, Constantine Copronymus, theologian and proscriber; Irene massacring the brothers of her husband, and dethroning and murdering her own

son : these are the personages under whom, during the eighth century, the Greek Empire, torn by factions, became perpetually the prey of the Saracens, the Huns, the Goths, and the Lombards.

Liutprand, king of the Lombards, dreaded by the Greek emperors and also by the Roman pontiffs, had reigned over a large proportion of Italy ; but, after him, Astolphus was humbled, and Desiderius dethroned, by the French. These strengthened and aggrandized themselves daily since governed by a new dynasty. Pepin had confined in a monastery Childerick III. the last of the Merovingian race, and caused himself to be respected on a throne disgraced by the effeminacy and imbecility of Childerick. Charles, the son of Pepin, conquered and ruled the whole of the Gauls, a part of Germany, Italy as far as Calabria, Spain to the Ebro, and Poland to the Vistula. In him revived a title abolished from the time of Augustulus ; he founded a new line of Emperors of the West, and the kings of Lombardy disappeared. The ascendancy of this prince fired the ambition of the popes ; but he wanted the knowledge and information necessary to preserve Europe from their impostures, and his house from their designs.

The "Donation of Constantine" was forged between the years 755 and 776 ; we have collected the documents which lead to this conclusion ; and

it is confirmed by the opinions of the best critics, for example Muratori. ⁽¹⁾

The first piece in the archives of the castle of St. Angelo had for its title : "Copia Donationis Constantini"—Copy of the Deed of Gift of Constantine. As this copy is not altogether conformable to those which we meet with in the decree of Gratian, and in the first volume of the collection of the Councils, we here transcribe it, and translate it literally.

"Imperial Decree, written, done and granted unto the sacred, holy, catholic and apostolic Roman Church, by the blessed Constantine, the first of the emperors who was a Christian.

"In the name of the holy and indivisible Trinity, Father, Son and Holy Ghost, of Jesus Christ, one of this same Holy Trinity, our Saviour, Lord and God; I Cesar Flavius Constantinus emperor, faithful, peaceful, gracious, Allemanic, Gothic, Sarmatian, Germanic, Brittanic, Hunnic, pious, happy, victorious, triumphant, ever august; to the very holy and blessed father of fathers, Sylvester, bishop and pope of the great city of Rome, and to all his successors, sovereign pontiffs, who, even to the end of the world, shall sit upon the chair of the blessed Peter; and, to all the venerable, pious, and catholic bishops, who, in virtue of our present

(1) See Appendix A.

(2) Ibid. B.

imperial constitution,⁽¹⁾ are subject to the above-mentioned sacred and holy Roman Church : grace, peace, love, joy, propitiation and mercy, be granted unto us all by the Almighty God, the Father, his Son Jesus Christ, and the Holy Ghost. The prodigies that our Redeemer, Saviour, and Lord, Jesus Christ, Son of the Most High, has condescended to accomplish in our favor, by his holy apostles Peter and Paul, our father Sylvester, sovereign pontiff and universal pope, procuring these great prodigies, we are minded to relate clearly in this our imperial writing, in order to transmit them to the knowledge of posterity, and to inform all the people of the earth of them : the confession that we are going to publish proceeds from the most secret folds of the heart of our gentle Majesty.

“ And first we profess and proclaim our faith, that which our above mentioned blessed father and intercessor Sylvester, universal prelate, has taught us for the edification of all our souls ; and we publish the benefits with which the mercy of God has loaded us. For we wish that you all know, even as we have already declared to you, by a previous sacred declaration, that you may know, how, detached from the worship of dumb idols, which hear not, made with hands, diabolically put together ; and, from all the

(1) A remarkable clause, by which the framers of this piece seem to carry the jurisdiction of the bishop of Rome over other bishops only up to the fourth century.

pomp of Satan, how, converted to the pure faith of christians, which is the true faith and life eternal, we have been, by our said marvellous and supreme father and preceptor, Sylvester, instructed to revere God the father, creator of heaven and earth, of all things visible and invisible, Jesus Christ his only son, our Lord, by whom all things have been made, and the Holy Ghost, vivifyer of every creature : Father, Son, and Holy Ghost ; which it is necessary to recognize in such way as to adore in a perfect trinity both the plenitude of divinity and the unity of power. The Father is God, the Son is God, and the Holy Ghost is God, and the three make but one. There are then three persons, there is but one power. Now, after having accomplished the creation of the celestial powers, and of all terrestrial matters, by a benevolent resolution of his wisdom ; after having, with a terrestrial clay, formed man in his image and in his likeness, he placed him in a paradise of delights. Man became the object of the jealousy of the ancient serpent, of the enemy the devil, who, inducing him to taste of a forbidden fruit, too bitter fruit, occasioned his being exiled from the mansion of bliss. Since this expulsion, the devil has neglected in no manner to strike at the rest of men and pierce them with his mortal arrows, so as to turn them away from the way of truth, and subject us all to the worship of idols, to the worship of the creature and not of the Creator, and to bind

in eternal torments, those who suffer themselves to be ensnared by his artifices. But God, touched with compassion for his own work, sent holy prophets forth, announcing by them the light of life, his Son, our Saviour, Lord and God, Jesus Christ ; afterwards he sent this only Son himself, the Word of Wisdom, who, descending from the heavens for our salvation, was born of the Virgin Mary ; the Word was made flesh and dwelt among us ; not ceasing in the least to be that which he was, but commencing to be that which he was not : perfect God, working miracles as God ; enduring as man the sufferings of humanity : Word, Man, and God, in which our father, Sylvester, sovereign pontiff, has made us perceive, without any uncertainty, a true God, and at the very same time a true man. Having then chosen twelve apostles, in their presence, and before immense multitudes, he manifested himself by the most wonderful miracles. We confess that our Lord Jesus Christ has fully accomplished the laws and the prophets, that he has suffered, that he has been crucified, agreeable to the Scriptures ; that the third day he had been raised from the dead, that he ascended into heaven, that he is seated at the right hand of his father, that from that he will come to judge the living and the dead, and that his kingdom will never have an end. Such is our orthodox faith, expounded to us by our blessed pope Syl-

vester. Therefore, we exhort and invite all people, and the various nations of men, to maintain and preach this doctrine; to receive the grace of baptism, in the name of the holy Trinity, and to render pious homage to our Lord and Saviour Jesus Christ, who, with the Father and the Holy Spirit, reigns throughout eternal ages, and who is preached by our blessed father Sylvester, universal prelate.

“ In fine, our Lord having had pity upon me a sinner, has sent his holy apostles, and, visiting us, has spread around us the light of his brightness, has drawn us forth from the bosom of darkness, and has deigned to conduct us to the knowledge of the truth. For, a shameful leprosy having closely attached itself to all the flesh which covers my body, and many physicians, applied to for my cure, not having been able to restore me to health, in these circumstances the priests of the capitol came to find me, and told me that I must make a pond in the capitol, and fill it with innocent and warm blood, and that it would be sufficient for me to bathe in it in order to obtain expiation and recovery. Conformable to these counsels, many innocent children were collected, and these wicked priests desired to have their throats cut, in order to fill the pond with their blood. The tears of the mothers moved our serenity; taking pity on these tender mothers, and in horror of this execrable crime, we commanded

these children to be restored to their families ; we caused them to be provided with conveyances, and with many presents sent them back rejoicing to their own homes. The day past, night came, and, during our sleep, the holy apostles Peter and Paul presented themselves to us and said to me : “ Because thou “ has put a stop to crimes, and that thou hast had “ in horror the effusion of innocent blood, we will “ give thee counsel, which can restore thy health. “ Hear then our precept, and do that which we shall “ command thee. The bishop of this city, Sylvester, “ flying from thy persecutions, is concealed with “ his clergy in the depths of the caverns of Mount “ Soracte. Cause him to come to thee, and learn “ from him to know the true pond, that in which it “ will suffice thee to be thrice plunged in order to “ be relieved from thy hideous leprosy. The price “ to be paid the author of thy cure will be, to cause “ the churches to be everywhere restored. But, in “ order to purify thyself, it is necessary that renoun- “ cing the superstitious worship of idols, thou shouldst “ honor and adore the one true God, and that thou “ shouldst fulfil his will.” I awoke, and did as the apostles commanded me. I sent for the very excellent father Sylvester, universal pope, who has enlightened us : I shewed him what the holy apostles had commanded me, and asked him what gods those were, named Peter and Paul. He told me they could not properly be termed gods, but that they

were the apostles of the Saviour, our Lord Jesus Christ. Once more, interrogating the blessed pope, I wished to know from him, if any portraits of these apostles existed, and if I could not recognize in such pictures the persons who had appeared to me in the vision. Then this very venerable father caused the images of the holy apostles to be brought by a deacon : I saw them ; I recognized in them the figures which had appeared to me in the dream ; and I exclaimed, in a loud voice before our nobles, that they were the figures themselves. Forthwith our blessed father Sylvester, bishop of the city of Rome, prescribed to us the time of the penitence which we were to undergo, clothed in hair cloth, in the interior of our palace of the Lateran ; in order that all our impure deeds, all our unjust actions, might be effaced by fasts, by watchings, our tears and our prayers to the Lord our Saviour.

Afterwards the clergy imposed their hands upon me, and I thus came before the sovereign pontiff : there, renouncing the pomps of Satan and his works, and all idols made with hands, I declared of my free will, in presence of all the people, that I believed in one sole God, the Father Almighty, creator of Heaven and Earth, of all things visible and invisible, and in one only Lord, Jesus Christ, only son of God, our Lord, conceived of the Holy Spirit in the womb of the Virgin Mary. This blessed pond received me and purified me by a triple immersion in healthful water.

And, while I was in this pond, I saw with my proper eyes a hand which, from Heaven, touched and healed me. I arose, and perceived that no trace of my hideous leprosy remained with me. They drew me forth from the sacred pool, and clothed me in white vestments. The seven-fold gift of the Holy Ghost was given to me, and by the contact of the blessed oil, the father Sylvester impressed upon my forehead the sign of the holy cross, saying, "May God sign thee with the seal of his faith, in the name of the Father, of the Son, and of the Holy Ghost." To which was responded "Amen." And the sovereign prelate added: "Peace be to thee." Therefore, three days after, having received the sacrament of divine baptism, and obtained the cure of my leprosy, I came to know there was no other God but God, Father, Son, and Holy Ghost, whom the blessed pope Sylvester preaches to us; trinity in unity, and unity in trinity. For it is clearly proved, that all the gods of the nations, which I honoured formerly, are demons, the works of man's hands.— Afterwards the same excellent father exposed to us openly, what great authority in Heaven and in Earth had been conferred by our Saviour on the blessed Peter his apostle, when, having interrogated him and found him full of faith, he said to him "Thou art Peter, and on this rock (petram) I will build my Church, and the gates of Hell shall not prevail against it." Now, Princes ! hear, and let the ears

of your heart hear what the best of masters, what the Lord has given to his disciple, in saying to him ; “And I will give you the keys of the kingdom of Heaven ; and what you shall bind upon Earth, shall be bound in Heaven also.” Astonishing words, admirable oracle ! To bind to unloose on Earth, is to have bound and loosed in Heaven ! After having acquired this information from the lessons of the blessed Sylvester, and feeling myself healed of my bodily leprosy by the good office of the blessed Peter, we have, by the advice of all our satraps, judged it expedient, that the blessed Peter having been appointed vicar of the son of God upon earth, so also those who shall hold the place of the prince of the apostles in our empire, may enjoy an authority greater than that with which our serenity appears invested. We choose the prince of the apostles and his successors for our own intercessors with God ; and as our imperial authority is revered upon earth, so ought to be respectfully honoured the sacred and holy Roman Church. We ought even to glorify and exalt the very holy chair of Peter above our own imperial terrestrial throne, and render to it authority, glory, dignity, strength, and imperial power and honour. Farther, we decree and enact that the Roman Church shall rule over the four patriarchal thrones of Antioch, Alexandria, Constantinople and Jerusalem, as well as over all the other churches of God ; that he who at all times shall be pontiff of the

said church of Rome shall be the superior⁽¹⁾ and prince of all bishops ; that all the cures to be taken for the support of divine worship, and in order to reign pontiff, universal pope of the city of Rome, confirm and strengthen the faith, shall be directed by his judgments and by his supreme decision. For it is just to establish so holy a pre-eminence in the place where our Saviour, the author of holy laws, has willed that the blessed Peter should occupy the seat of the apostolic church ; which Peter, suffering the death of the cross, has drank the cup of the same blessed death, in imitation of him of whom he was the disciple and servant. It is necessary that at all times, even to the end of the world, a master may be sought to in that place where the body of our patron saint reposes ; that the nations come to confess the name of Christ, and bow their heads in that same place in which their doctor, the blessed apostle Paul, presented his and obtained, rendering thanks to Jesus Christ, the crown of martyrdom.— There ought the world to bow and humiliate itself under the empire of the celestial king, of Jesus Christ our Lord and our Saviour, there, where earthly kings have stooped to the yoke of a superior authority.— For this purpose, we will, that all the people of the

(1) Thus the compilers of this document cause the law to emanate from Constantine only, which subjected to the church of Rome the other churches of Christendom.

universe may know how, in our palace of the Lateran, we have founded and erected a temple with a baptistery in honour of our Saviour and Lord Jesus Christ. Know particularly that, burdening our proper shoulders, we have ourselves drawn from this place twelve hods of earth, twelve, that is to say, as many as there were apostles. Therefore we ordain, that this sacred and holy church be called, honoured, proclaimed and revered, as the head and crown of all the churches of the earth, even as we have already enacted by our former imperial decrees. We have also built churches to the blessed Peter and Paul, princes of the apostles: churches which we have caused to be decorated with silver and gold, and to be magnificently embellished.

“ There, enclosing their very holy bodies, and applying ourselves to do them honor, we have made for them coffins of amber, a material whose power exceeds that of all the elements; and upon the one and the other coffin we have placed, and secured with nails of gold, a cross, composed of gold most pure and stones exceeding precious. For the maintenance of lights, we have assigned to the said churches possessions and lands: our imperial and divine decree has signalized our respect for the Church by bounties and immunities in the East and in the West, in the North and in the South; that is to say, in Judea, in Asia, Thrace, Greece, Africa, Italy, and in various isles; in such way that all may

be at the disposal of our blessed father and sovereign pontiff, Sylvester, and his successors. Let all the people then rejoice with us : we exhort all the nations by whom this terrestrial globe is inhabited, to render with us to God, to our Saviour Jesus Christ, thanksgivings never ceasing, for that God himself, who inhabits the heavens above, and the earth beneath, has visited us by his holy apostles, and has rendered us worthy to receive the holy sacrament of baptism, and the health of our body. For which benefits we have given, and, by these presents, we do give to the holy apostles Peter and Paul, and by them unto the blessed Sylvester, our father, sovereign pontiff, universal pope of the city of Rome, and to all his successors, sovereign pontiffs, who even to the end of the world shall be seated in the chair of the blessed Peter : first, our palace of the Lateran, which, of all the palaces of the earth, is the most honoured and the most excellent ; in the second place, our diadem, that is to say, the crown of our head ; likewise the Phrygian ornament which covers it, that is, our mitre ; moreover, the ornament which spreads over our shoulders, and environs our imperial neck ; also, our chlamyde of purple, and our scarlet vest : in one word, all our imperial habiliments. To which we add sceptre, escort, couriers, and horsemen, all the honours and all the ornaments of empire ; in such sort as that the holy father, in his processions, may march en-

vironed with all the lustre and power of an emperor. At the same time we decree, that the most reverend clergy of the different orders which serve in the sacred and holy church of the Romans, be elevated to a degree of glory, of excellence, and of power, which may place them on a level with our very honorable senate, that is to say, of our patricians and consuls. We further will, that the aforesaid clergy be clothed with other dignities of the Empire; that the clerks of the holy Roman Church be decorated like the imperial army; that the authority of the holy Roman Church may be displayed by the number and diversity of its officers, chamberlains, door-ushers and guards, even like that of the emperors; that the sovereign pontiff shine afar off by the splendour of his appearance; that the horses of the clerks of the said Roman Church be ornamented with white harness and caparisons; that the said clerks may go their progresses with magnificence; that they wear upon their feet shoes like those which our senators wear; in order that all things celestial and terrestrial be decorated for the glory of God. Above all, we declare, that our father Sylvester, bishop of our city of Rome, and all his successors for the time to come, may have, for the greater glory of our Lord Jesus Christ, liberty to admit, as honorary members, into the body of the venerable clergy, every individual of our illustrious senate, without its being permitted to any who shall

thus have been called, to refuse from pride the ecclesiastical order. We further will, that our father Sylvester, sovereign pontiff, worthy of all homage, and, in succession, all the prelates who come after him, make use of the diadem and of the crown which we have taken from off our own head to bestow on the said pope, a crown formed of the purest gold, precious stones, and pearls; and, that they carry the same upon their heads, for the glory of God and the honour of the blessed Peter. And, as the said blessed pope, because of the clerical crown which he wears on his head for the honour of the blessed Peter, has been unwilling to make use of a golden crown, we ourselves have, with our proper hands, imposed upon his most holy head a Phrygian mitre or head-dress, whose whiteness represents the Saviour's resurrection; and, holding the bridle of his horse in honour of St. Peter, we have filled towards him the office of equerry, ordaining, that all his successors make use of the said head-dress in their processions, in imitation of our empire. And, in order that the head of the sovereign pontiff be not held at a vile price, in order, on the contrary, that it be encompassed with the greater dignity, with the power and the glory of a terrestrial empire, behold we bestow upon him, as has already been said, our palace! And further, delivering and ceding to our blessed father Sylvester, so often before named, and to his successors, the city of Rome, all Italy, and

the provinces, places, and cities of the western region ; we enact by our present decree, that they be administered by the authority and the judgment of the said pope, and the sovereign pontiffs his successors, and, that they shall be and remain subject to the prerogative of the holy church of the Romans. In consequence, we have judged it expedient to transfer to the eastern provinces our empire and its glory, to build a city after our name upon the excellent territories of Byzantium, and there to establish our said empire. For, where the celestial king has placed the sacerdotal principality and the head of the Christian religion, there, in strict justice, ought no longer to remain the authority of a terrestrial government. It is our will that all the dispositions announced and established by our present writing, and in our other divine decrees, remain fixed and immovable, even to the consummation of all things. For this reason, in presence of the living God, who has clothed us with the imperial authority, and in the name of his terrible judgments, we declare by this present decree, unto all the emperors our successors, to all the satraps, to all the nobles of Rome, to all the most honorable senate, and to all the people of the earth, those who exist, and those who shall exist hereafter, that it is not permitted to any one of them, to forward the slightest attempt against the privileges and possessions granted by our present imperial decree. But if there should be found

which however we do not presume, one whose arrogance dares to despise our law, let him be devoted to eternal curses and tortures ; may the holy apostles of God, Peter and Paul princes of the apostles, be at enmity with him in the life that is, and in the life to come ; and let him perish, in the midst of tortures, in the abyss of hell, with the devil and all the impious. In order to give to our present imperial decree the more authority, we have fortified it with the writing of our proper hand ; and with our own hands also we have deposited it upon the venerable body of the blessed Peter, prince of the apostles : there, we have promised to the apostle of God, to maintain inviolable all the above-mentioned articles, and to transmit them to the emperors our successors, to be by them preserved for the benefit of the blessed Sylvester our father, universal pope, and, after him, for all the sovereign pontiffs his successors ; to the end that, with the good pleasure of the Lord God, our Saviour Jesus Christ, the possession of the above rights for ever remain happy and undisturbed."

In translating this document, we have believed ourselves to have taken the better way to demonstrate its falsity. Nevertheless, we should not forget that it has been revered for eight centuries, and that it is the first foundation of the power of the bishops of Rome. At the same period in which it was fabricated, or perhaps some years before, Stephen III.

had caused to be communicated to Pepin the Short, a letter of St. Peter, couched in these words:—

(1) “ Peter, called to the apostolic office by Jesus Christ, the son of the living God, who, reigning before all ages with his father in the unity of the Holy Ghost, became flesh in these latter days, and for our salvation was made man, and who has ransomed us with his precious blood, by the will of his glorious father, as he had announced by his holy prophets.

“ With me, and by me the whole Church of God, Catholic and Apostolic, to wit, the Roman church, the mother of all the churches of God, founded upon a firm rock, by the blood of our Redeemer ; together with Stephen, prelate of this same august church.

“ In order to rescue from the hands of its persecutors the same holy church of God, and his Roman people who are confided to me, grace, peace, and virtue be granted more abundantly unto you, by the Lord our God.

“ To you, excellent men, Pepin, Charles and Carloman, three kings, and to the holy bishops, abbots, priests, to all the monks, as well as to the dukes, counts, armies and inhabitants of France.

“ I Peter, the apostle, called by Christ the Son of the living God, in virtue of a decree of the sovereign clemency, to enlighten, by means of his power, all the universe, even as the Lord our God has

(1) See Appendix C.

confirmed, in saying : Go ! teach all the nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost ; and again : Receive ye the Holy Ghost ; the sins shall be remitted to those to whom ye shall have remitted them ; and, addressing me, his poor servant, called an apostle, and recommending to me in particular his sheep, he said to me : Feed my sheep, feed my lambs ; and again Thou art Peter, and on this rock (petram) I will build my church, and the gates of Hell shall not prevail against it ; and I will give thee the keys of the kingdom of Heaven, and whatsoever thou shalt bind on earth shall be bound also in Heaven, and whatsoever thou shalt loose on earth it shall so be done in Heaven likewise.

“ Let all those, therefore, who have heard and fulfilled what I have preached to them, rest assured, that their sins are, by the order of God, forgiven them in this world ; and henceforward let them preserve themselves pure and unspotted. You, whose hearts the Holy Spirit has enlightened, you, whom the preaching of the evangelic word has made lovers of the holy and undivided Trinity, the hope of your future reward is, without doubt, attached to this church of God, the Apostolic and Roman Church.

“ It is for this cause, I Peter, apostle of God, who have adopted you as my children, stimulate and exhort your charity to defend this city of Rome and the people which is confided to me, to protect them against their enemies ; to preserve the House where I dwell, according to the flesh, from the pollutions of the na-

tions ; and to deliver the Church of God, which the Divine Power has entrusted us with ; which things I solicit and adjure of you, because of the afflictions and oppressions which they have endured from the very wicked nation of the Lombards. Do not deceive yourselves my beloved friends ; but be certified that it is I myself that, living, you behold before you : that it is I myself, in person, who conjures you, and addresses to you these exhortations. Because that, according to the promise which we have received from our Lord God and Redeemer, we cherish you, ye people of France, above every nation ; therefore, we convey to you as in an enigma, and conjure you earnestly, you three very christian kings, Pepin, Charles, and Carloman, and all the priests, bishops, abbots, and monks, and all the judges, also the dukes, counts, and people of France ; therefore it is, I say, behold me as present in the flesh and living before you, myself, Peter, the Apostle of God. Believe indeed, that I speak to you, that I exhort you ; though absent carnally, spiritually I am in your presence : for it is written, he who receives a prophet in the name of a prophet shall receive the recompense of a prophet. But our Lady, the mother of God, ever virgin, adjures you with us this day ; she supplicates, exhorts and commands you ; the thrones and dominions, all the armies of the celestial militia, and the martyrs and confessors of Christ, and all those who please God, join in seeking us in order to

conjure, exhort and adjure you to take pity on this city of Rome, confided by the Lord God unto us, on the sheep of the Lord which dwell therein, and on the holy church of God which the Lord has given me in charge. Defend it, deliver it, hasten to snatch it from the hands of the Lombards who persecute it, lest my body, which God forbid, my body which has suffered many tortures for the Lord Jesus Christ, and my House in which this body, by the command of God, reposes, be defiled by the said Lombards, lest my people be torn and massacred by these perjurors who transgress the divine Scriptures. Present then, with the aid of God, the assistance of all your forces to my Roman people, whom God has confided to me, and whose brothers in this life you are, in order that I Peter, an apostle called of God, may, both in this life and at the day of future judgment, become in my turn your patron; may prepare for you tabernacles fair and brilliant in the kingdom of God, and acquit myself to you wards, in procuring you the eternal rewards and infinite joys of paradise: all on condition, that my people, my city of Rome, and your brethren the Romans, shall be by you speedily defended against the iniquitous Lombards. Fly, I exhort and conjure you thereto by the true and living God; fly, and arrive to our succour, before the living fountain, in which you have been consecrated and renewed, be dried up; before the last spark of the ardent flame which enlightened

you be extinguished ; before your spiritual mother, the holy church of God, in which you hope to receive eternal life, be humiliated, invaded, violated, and profaned, by these impious men. I conjure you thereto, my very dear adopted sons, I conjure you thereto by the grace of the holy spirit, I supplicate and exhort you thereto in the presence of the terrible God, the creator of all things ; I Peter, the Apostle of God, and, with me, his Holy Catholic and Apostolic Church, which the Lord has confided to me, we, one and all, pray you earnestly, not to suffer this city of Rome to perish, in which the Lord has placed my body, which he has given into my care, and in which he has established the seat of his faith ; deliver her, and the Roman people, your brethren, and suffer her not to be invaded by the nation of the Lombards. Already are your provinces and possessions invaded by nations of whom you are ignorant ; do not separate yourselves from my people of Rome ; for, this would be to separate yourselves from the kingdom of God, and from life eternal. All that you shall demand of me, assistance or patronage, I will grant you. Succour my Roman people, succour your brethren ; contend perfectly and achieve their deliverance. The crown is not obtained until after having combated, as is expedient : combat then courageously for the deliverance of the holy church of God, lest you yourselves perish eternally. I conjure you thereto, as

has been above said, my beloved friends, by the living God, and I altogether supplicate you to it ; permit not in any wise, that this city of Rome, and those who inherit it, be any longer preyed upon by the Lombard people, lest your own bodies and souls suffer the same torment, in the eternal and inextinguishable fire of hell, as is suffered by the devil and his pestiferous angels ; prevent them from dispersing the sheep of the flock of the Lord, the flock confided to me, that is to say, the Roman people, lest the Lord disperse you and cut you off, even as the people of Israel have been dispersed.

“ Above all nations under the heavens, yours, oh ! Frenchmen, is first in the eyes of Peter, the apostle of God ; and on this account it is that I have recommended to you, by the hands of my Vicar, that church which the Lord has given me, in order that you may be pleased to deliver it out of the hand of the enemy. Believe firmly, and hold it for certain, that I, the servant of God, called to the apostolat, have relieved you in all your necessities, at such time as you have asked it of me ; and that, by the virtue of God, I have granted you the victory over your enemies, and that henceforward I shall grant it to you also, doubt not, if you come very quickly to deliver my city of Rome. Recal to mind, moreover, how I have overturned before your eyes the enemies of God’s holy church, against whom you combated in very small numbers. Hasten then this day to accomplish my orders ; and merit still more

perfectly my succour, in virtue of the grace which has been bestowed on me by the Lord our God.—My beloved sons ! regard me who preaches to you, who admonishes you. If you obey me quickly, my suffrages shall obtain for you a great recompense in this present life, you shall overcome all your enemies, you shall live long, you shall eat of the good things of the earth, and you shall obtain, without doubt, eternal life. If, on the contrary, which we do not anticipate, you delay a single instant, if by any artifice you defer accomplishing our orders, defer to deliver our city of Rome and those who inhabit it, the Holy Apostolic Church of God, confided to me by the Lord, and the pontiff of this church, know that, by the authority of the holy and undivided Trinity, by the grace of the apostolic office, the grace given to me by our Lord Jesus Christ, you shall be, for having despised our exhortation, expelled from the kingdom of Heaven and from life eternal. But, may Jesus Christ, our God and Lord, who, purchasing us with his precious blood, has conducted us to the light of the truth, and has constituted us the preachers and the lights of the world, may Jesus Christ grant you wisdom, and the necessary intelligence and promptness to fly, without the least delay, to the deliverance of this city of Rome, and of its people, to wit, the Holy Church of God to me confided by the Lord, in order that, mercifully dealt with as being faithful, you may obtain from his power by the intervention of my suffrages, first, the favour

to live long happy and victorious upon earth, lastly, in the future world, infinite recompences with his saints and with his elect.—Farewell.”

Such were the gross artifices which, in the eighth century, seduced the people and their rulers. It was thus that the popes obtained from Pepin and from Charlemagne, not sovereign rights but domains, and the exercise of some secondary and delegated powers. They possess neither originals nor copies of the donations of Pepin and of Charlemagne ; but here follows that of Louis le Debonnaire :

(1) “In the name of the Lord God Almighty, Father Son and Holy Ghost, I Louis, august emperor, give, concede, and confirm, by this present covenant, to thee, blessed Peter, prince of the apostles, and, through thee, to thy vicar, Don Pascal, sovereign pontiff and universal pope, and to his successors in perpetuity, all that which you have received from our predecessors, that which you held in your own power and disposition, the city of Rome with its duchy, its liberties, its confines, mountainous territories, sea-coasts, and ports ; all the cities, castles, towns and villages, on the side of Tuscany ; to wit, Porto, Civita-Vecchia, Cere, Bleda, Maturano, Sutri, Nepe, Castello-Gallesi, Horta, Polimartio, Amelia, Todi, Perouse, with the three isles, that is to say, the greater, the less, Pulvenza and the lake, Nami,

See Appendix D.

Otricoli, with all the confines and territories belonging to the above-named cities ; also, on the side of Campania, Segni, Anagni, Ferentino, Alatri, Patrico, Frusinone, and other places of Campania ; also Trivoli ; with all the confines and territories which belong to the said cities ; further, the exarchate of Ravenna, with all the towns, cities, villages, and castles, which the king Don Pepin, of pious memory, and our father, of honorable memory, also the Emperor Charles, have heretofore restored, by written donation, to the blessed Peter the apostle, and to your predecessors ; to wit, the city of Ravenna, the Emilian province, Bobio, Cesena, Forum-popoli, Forli, Faenza, Imola, Bologna, Ferrara, Comacchio, Adria, Gavelo, with all the confines, territories and isles, on the land or in the sea, belonging to the above-mentioned cities ; also, the Pentapolis, that is to say, Rimini, Pesaro, Fano, Sinigaglia, Ancona ; besides, Umana, Jesi, Fossombrone, Montefeltre, Urbino, the territory of Gualdo, Calli, Luceolo, Gubbio, with all the lands and bounds dependent on the said cities ; also, the Sabine territory, as it has been previously conferred in all its integrity by written gift of our father, the Emperor Charles, to the blessed apostle Peter, and conformable to the limits traced between the Sabine territory and Rieti, by the Abbes Itherio and Macenario, Envoys of the said Emperor ; also, in the parts of Tuscany occupied by the Lombards, Felicita,

Orvieto, Bagnorea, Ferento, Viterbo, Marta, Toscana, Porto-Ferrajo, Soana, Rosella ; and the isles of Corsica, Sardinia, and Sicily, in their integrity, with all their maritime territories and dependencies, and the sea-coasts and ports belonging to the above-mentioned cities and isles ; also, in the confines of Campania, Sora, Arci, Aquino, Arpino, Teano, Capua, and the patrimonies belonging to us and in our possession, such as, Benevento, Salerno, Upper and Lower Calabria, and Naples ; and all the other patrimonies known to belong to us, in the parts of the kingdom and empire which God has committed to our care ; which above-mentioned provinces, cities, towns, villages, castles, territories, and patrimonies, we guarantee and confirm to thy church, oh blessed Peter ! and through thee to thy vicar, our spiritual father, Pascal, sovereign pontiff and universal pope, and to his successors to the end of time : in such sort, that in full right they may retain them in possession, sovereignty, and power. In like manner, by our present decree of confirmation, we secure to you the grants which our grandfather, of pious memory, the lord king Pepin, and our father Charles the emperor, have freely and spontaneously made to the blessed apostle Peter ; and, at the same time, the quit rents, pensions and other duties, which were accustomed to be brought into the palace of the king of the Lombards, whether, of the duchy of Spoleto, or of Lombard Tuscany, as is specified in

the abovementioned donations, and which has been agreed on between Pope Adrian of holy memory, and our father Don Charles the emperor, at the time this prince confirmed to the same pontiff the possession of the above-mentioned duchies of Tuscany and Spoleto: in such sort, that each year the above-mentioned quit rents be paid to the church of the blessed Peter the apostle, saving, at all times, our right of sovereignty over said duchies and the homage which they owe to us. Farther, as we have said, we confirm as fully as it is in our power, by our present decree, the concession of the above domains, so that they remain in the possession, power, and principality of you and of your successors, and that neither by us nor by our sons or successors, from any motive or pretence whatever, may your jurisdiction be in any particular abridged, and that nothing be detached from you, nor from your successors, of the above-named possessions; to wit, of said cities, provinces, towns, castles, villages, isles, territories, patrimonies, pensions and quit renta. Far from abridging you in any thing appertaining to them, far from consenting to reductions which any person whatever should attempt, on the contrary, we pledge ourselves that all the possessions herein expressed, to wit, provinces, towns, cities, villages, castles, territories, patrimonies, and isles, quit rents and pensions, shall be by us guaranteed to the blessed Peter the apostle, and to

the pontiffs who shall be seated in his most sacred chair, for ever.

And, in order that these possessions may remain perpetually in his power, and that he may freely use them, enjoy or dispose of them, we reserve to ourselves no right to dispose, decide, withdraw or diminish, aught concerning the said possessions, unless solicited thereto by him who shall be governing this holy church. And, if any man of the above mentioned cities appertaining to your church come to us, desiring to withdraw from your jurisdiction and power, or fearing some iniquitous machination, or flying from punishment of a crime committed, we will in no wise receive but will confine ourselves to interceding for him : besides, this intercession shall be confined to cases where the fault has been venial, otherwise he shall be delivered bound into your power. Let it not be here understood that we speak of those who, having suffered violence or oppression from powerful men, shall come to us, to the end that by our intercession justice may be rendered to them : of these last, the condition is quite different from and opposed to that of the first. And when God, calling to himself the pontiff of this very Holy See, shall withdraw him from this world, let no subject of our kingdom, either Frank or Lombard, nor any other subject to our power elsewhere, presume to oppose themselves publicly or secretly to the Romans, or to make an election ; neither permit on

this occasion, in the villages or territories which belong to the church of the blessed Peter, any enterprise to be undertaken or damage committed ; but, that the Romans may have the perfect liberty of rendering to their pontiff the honors of sepulture, and canonically to consecrate, without ambiguity or contradiction to him who, by divine inspiration, by the intercession of the blessed Peter, they shall have, unanimously, in full concord, and without fraud, elected to the pontifical dignity. And, when he shall have been consecrated, let legates be sent to us and to our successors, kings of the French, which legates shall preserve betwixt us amity, peace and charity, as was accustomed to be done in the time of Don Charles our great grandfather, of Pepin our grandfather, or that of our father the emperor Charles. And, in order that the present act be regarded as inviolable by all the faithful of the holy church of God, in order that it may be preserved and established through future generations, and ages to come, we have fortified it with the signature of our proper hand, and that of the venerable bishops, abbots and nobles of our kingdom, under the faith of our oaths and subscriptions ; and we have sent it to Don Pascal, pope, by the legate of the holy Roman Church, Theodore the Remembrancer.

“ I Louis, Emperor by the mercy of God have subscribed.

“ And his three sons, and ten bishops, eight abbots, fifteen earls, a librarian, a novice, and a porter.”

Muratori⁽¹⁾ compares this donation to that of Constantine, which had been for a long time so revered, that those would have been accused of heresy who should have declared it false, while, in the present day, there is not a single man of learning even at Rome, who would venture to support its authenticity. The first grounds of Muratori, for the rejection of the Gift of Louis-le-Debonnaire, are derived from the number and importance of the variations which the different copies of this pretended diploma present. We may be convinced of it, in comparing one with the other, those which have been published by Raphael Volutteran and Baronius. It is to be observed also, that the court of Rome has never been able or willing to produce but the one copy; to wit, that which is found contained in a manuscript dated 1192, two hundred and seventy-five years after the date ascribed to this donation. Anastasius the Librarian, says nothing of this act; Anastasius, who registered with so much care all the deeds of this kind, all the privileges obtained by the Popes, whose history he writes. This is the argument of Muratori.— In the third place he points out, that Louis in this charter bestows Sicily and Calabria which he never possessed, and which belonged to the Greek Empe-

(1) *Piena Esposizione de 'diritti imperiali*, c. 4. p. 42. 49.

rors. The same remark he applies to Corsica and Sardinia, isles that the French of the ninth century did not hold in their power, and which besides were never regarded in the succeeding centuries as the domains of the church. Let us add, that this diploma gives to the Romans the right of electing and consecrating a new pope, without awaiting the consent of the emperor; a disposition opposed to the custom observed since the year 817. Finally the emperors Otho I. and Henry I. in confirming the gifts of Pepin and Charlemagne, say nothing of that of Louis: and the most ancient author who mentions it is Leo of Ostia, who died at the beginning of the twelfth century. All those considerations have determined the editors of the *Compilation of Documents for the History of France* to reject this deed as apocryphal⁽¹⁾; they have not deigned to admit it into their vast collection. Father Pagi had formed the same opinion of it: this piece, says he, is fabricated like that which bears the name of Constantine.⁽²⁾

Behold, nevertheless, upon what titles reposed the temporal power of the popes, and their pretensions to universal monarchy. But of all the impostures which they have propagated in the course of the

(1) *Recueil des Historiens de France*, tome 6, p. 609.

(2) *Donatio quæ a Gratiano dicitur facta ecclesiæ Romanæ a Ludovico Pio, non minus commentitia quam quæ Constantino Magno affingitur.*—Crit. Baron. ad. an. 817. p. 7.

middle age, none has profited them like the collection of the False Decretals.

“ From the time of Charlemagne, says Balnuze, “ were inserted in the collections, certain letters “ which were attributed to the most ancient bishops “ of Rome, but which in truth Riculph, archbishop “ of Mayence, had obtained from a Spanish merchant, and which he first caused to be circulated “ in the churches of Germany, France, and Italy.— “ From this time there have been many contests on “ the authenticity of these letters; the bishops of “ France rejected them as irreconcilable with the “ ancient laws. However, the good fortune of Rome “ prevailed; and the authority of these “ false decretals” was established; they were used as authentic pieces by the greater number of those who “ compiled collections of the canons. Among those “ who refrained from the use of them, the learned “ Antoine Augustine points out to us Raban, at first, “ abbot of Fulde, then archbishop of Mayence after Egerrius, and consequently one of Riculph’s “ successors. But we see these letters of great weight “ in 991, that is, at the time in which a council was “ held at Rheims against Arnoul, archbishop of this “ city.”

The epoch then of the fabrication of these letters is well known, they belong to the end of the eighth century: and here follows the doctrine, then altogether moral, which they have established.

Isidore, who forged them, gives to the bishops of Rome the titles of bishops of the universal church : he attributes to Victor, to Pontian, to Stephen I. writings in which they assume this rank.

According to him, St. Anaclet, and St. Marcellus, exhort the bishop of Antioch to submit to the Roman church the decision of all important and difficult causes, because this church is established for the government of all other churches.

According to him, Sixtus I. Anicetus, Eleutherius, Victor, Zephyrinus, reserved to the Holy See the right of trying bishops ; he makes the bishops of Africa write to pope Damasius, that the decrees of the holy fathers have ascribed to the popes, the decision of all important ecclesiastical causes, and he attributes to Damasius a reply conceived in these words :

“ You know that to assemble a synod otherwise
 “ than by the authority of the Holy See is to be no
 “ longer catholic ; a bishop can never be legitimately
 “ condemned but in a synod legally convened by
 “ order of the Holy Apostolic See. There never
 “ were true councils but those which have been fur-
 “ nished with the authority of the Roman Church.”

Isidore puts the same language into the mouth of St. Marcellus, and of Julius I. He feigns an epistle for Antherius, in which this pope says, that Eusebius has been, by the authority of the successor of St. Peter, transferred from a lesser see to that of Alexandria.

He borrows the names of Sixtus I. Zephyrinus, Fabian, Sixtus II. to establish the appeals to the bishop of Rome. All the bishops, he makes Sixtus II. say, may freely, and whenever they shall be offended, appeal to the Holy See, and have recourse to her as to a mother, to be supported and delivered, as has been at all times practised.

It is by Pelagius I. that Isidore makes it be decreed, that any metropolitan who in three months after his consecration, shall not have demanded the pallium of the pope, shall be deprived of his dignity.

Under the name of Julius I. he declares to the Orientals, that it is not allowable to deviate from the practices of the Roman Church.

A learned Benedictine, D. Constant, makes the following reflections upon the Decretals of Isidore. "It can hardly be told to what extent the falsehoods of Isidore have been injurious to the Church. "They have weakened the nerves of discipline, confounded the rights, corrupted the laws, multiplied troubles and law suits, produced discord, which, to the shame of the clergy, and the scandal of the faithful, has thrown forth, in the course of years, such enormous suckers But it is not astonishing that in the time of Isidore they were not prepared against so gross a fraud. The ancient discipline had been already much impaired

“ by an effect of that fatal destiny which awaits
 “ human things, which wills that the best establish-
 “ ments should only have an existence more or less
 “ short. Add to this cause, the public ignorance in
 “ the eighth century, the imperfection of historical
 “ knowledge, and the absolute want of wholesome
 “ criticism. The error, at first concealed, became
 “ propagated by degrees: and, under the auspices of
 “ imposing names, it has, during the lethargic sleep
 “ of our ancestors, established its pernicious
 “ empire.”

Isidore has, however, found an advocate in a compiler of ecclesiastical laws. “ In the eighth century,
 “ says the canonist, ⁽¹⁾ the majesty of the Holy See
 “ and the sacerdotal jurisdiction were despised in
 “ Gaul and in Germany, in Spain, and even in Italy :
 “ in order to support them, a pious believer has ima-
 “ gined epistles or decretals, which he has embel-
 “ lished with the names of the most ancient bishops
 “ of Rome.”

Oh, rare piety! edifying fidelity, to subvert the
 rules established by respectable councils, to abolish
 the ancient right of the churches, to alter the priest-
 hood instituted by Jesus Christ, and to dare attach
 to the most pernicious innovations ancient and re-
 vered names! Far from praising or even excusing
 such falsehoods, the authors of the Literary History
 of France ⁽²⁾ call this collection ‘ a work of darkness’

(1) Christ. Lupus.

(2) Tom. 4, p. 28.

which has tended in its consequences, not only to obscure, but even entirely overthrow the knowledge of the canon law.

In less than a century, the authority of the *Decretals* of Isidore was established in the church. Nicholas I. in 865, wrote to the bishops of France to make them accept them. The French reclaimed the maintenance of their primitive laws, which they ceased not to invoke after the death of Nicholas. Finally, however, the Gallican Church partook with respect to these epistles the general error : a council of Rheims, held at the end of the tenth century, condescends to cite them ; and, since this period they have been inserted, either whole or mutilated, in many collections of canons, for example, in that of Ives, and in the decree of Gratian. From the ninth century, Reginon de Prum and Burchard de Worms, made the same use of them, and occasioned their being accredited in Germany.

However, the only result of the “ False *Decretals*” was, to transform the primacy of the bishop of Rome into a universal supremacy, and to attribute to him a sovereign jurisdiction over all the churches of Christendom. The power of the popes over kings remained to be established ; and this undertaking was so little advanced in 1073, that the honour of it was to be fully reserved for Gregory VII. Let us expose, in the first place, the twenty-seven maxims which

bear his name, and which if he have not written, he has at least professed and acted on :

1. The Roman Church is the only church which God has founded.

2. The title of ' Universal' belongs only to the Roman Pontiff.

3. He alone can depose or absolve bishops.

4. His legate presides over all bishops in every council, and can pass against them a sentence of deposition.

5. The pope can depose the absent.

6. Those whom he has excommunicated should not be associated with.

7. He can as circumstances may require, make new laws, erect new churches, transmute a chapter into an abbey, and divide a rich bishoprick, or unite two poor ones.

8. He alone can clothe himself with the attributes of the empire.

9. All princes kiss his feet.

10. His name is the only one to be uttered in the churches.

11. It is the only name in the world.

12. It is lawful for him to depose the emperors.

13. It is lawful for him to transfer the bishops from one see to another.

14. He can, in every church, appoint a clerk.

15. He whom he has appointed may govern

another church, and cannot receive from a simple bishop a higher grade.

16. No council can designate itself 'general' but by command of the pope.

17. No chapter, nor any book, is regarded as canonical without his authority.

18. No person can render his decisions void ; he can annul those of all the world.

19. He can be judged of no man.

20. He forbids any man daring to condemn him who appeals to the Holy Apostolic See.

21. To this See ought to be referred the more important causes of all churches.

22. The Roman Church has never been deceived ; and will never fall into error.

23. Every Roman pontiff canonically ordained becomes holy.

24. It is lawful to accuse, when he permits or when he commands it.

25. He can, without synod, depose or absolve bishops.

26. He is not catholic who is not in unity with the Roman Church.

27. The pope can release the subjects of bad princes from all oaths of fidelity.

The same doctrine is found in the epistles of Gregory VII. epistles long since printed from the original register of them, which existed in the

Vatican, and which is, in the present day, deposited in the archives of the empire. We will cite only the twenty-first of the eighth chapter of these letters. It is addressed to Heriman, bishop of Metz, and in it we read these words :

“ You desire to be fortified against the foolish
 “ system of those, who pretend, that the king Henry,
 “ a rebel to the Christian faith, the destroyer of the
 “ churches of the empire, and an accomplice of he-
 “ retics, could not be excommunicated by the Holy
 “ See, and that it has no right to release his subjects
 “ from the oath of fidelity. But when Jesus Christ
 “ said to St. Peter, That which thou shalt bind on
 “ earth shall be bound in heaven, and that which
 “ thou shalt unbind on earth shall be unbound in
 “ heaven, were kings excepted, and are they not
 “ of the number of the sheep which the Son of God
 “ has confided to the prince of the apostles ? Who
 “ can suppose himself free from this universal sove-
 “ reignty, from this power to bind and to loose all
 “ things on the face of the earth ? The Holy Ro-
 “ man Church, is she not the mother and sovereign
 “ of all churches ? Instituted in order to determine
 “ what it is necessary to believe, and what it is ne-
 “ cessary to practice, is she not also to judge those
 “ doctrines and those actions ? is it not to her, as to
 “ a mother and a queen, that all causes should be
 “ referred ; and can it be permitted to any person

“to question the irrefragable authority of her decisions?”

“In support of this system, Gregory VII. cites passages, of which some are drawn from the “False Decretals.” To these he adds his own reflections. “How! says he, a power invented by laymen “who knew not God, to decline succumbing to the “dignity which the providence of the Almighty has “created for his own glory, and which his mercy “has established over mortals for their happiness! “Seated at the right hand of his father, Jesus regards only with contempt the earthly crowns “which swell the thoughts of the children of this “world. But Jesus is the chief of spirits, and the “sacerdotal power is his work. Dukes and kings “derive their origin from some barbarians, whom “pride, rapine and perfidy, whom murder, all the “vices, all the crimes, aided by the devil, the prince “of this world, have elevated over their equals “and invested with a blind power. It was to establish this earthly power that the devil tempted “Jesus Christ, and shewed him all the kingdoms of “the world, saying to him, I will give thee all, if “you fall down at my feet to worship me. The “priests, who can doubt it? are the fathers and the “masters of the faithful, of princes and kings. “Does a son pretend to reign over his father, a disciple over his master? Far from falling into so “lamentable a madness, the emperor Constantine,

“ in the Council of Nice, ranked only after the
 “ bishops ; he called them gods, and acknowledged
 “ that he was dependent on their authority. Behold
 “ after what institutions, after what oracles,⁽¹⁾ the
 “ most of the pontiffs have excommunicated, some
 “ kings, others emperors. Zachary deposed one
 “ king of France, less for the crimes of this king,
 “ than for his incapacity : he replaced him with
 “ Pepin, and released the French from their ancient
 “ oath.

“ Recollect that a simple exorcist, when invested,
 “ as a spiritual emperor, with the right to expel
 “ demons, receives a power more ample than any
 “ of the laics can exercise. Kings are the subjects
 “ of demons, and demons are the slaves of exorcists.
 “ Therefore exorcists, masters over devils, are mas-
 “ ters also, and much more abundantly, over the
 “ subjects and members of unclean spirits ;⁽²⁾ and if
 “ such be the pre-eminence of an exorcist over kings,
 “ what must that be of a priest or a bishop ; that,
 “ finally, of a sovereign and universal pontiff ? Who in

(1) *Plerique pontificum, alii reges, alii imperatores excommunicaverunt.*—We have deemed it a duty to cite particularly this text, which seems to hold forth, as one of the common functions of the sovereign pontiff, the excommunication of emperors and kings.

(2) *Quanto igitur magis super eos qui dæmonibus subjecti et membra sunt dæmonum ? Si rego regibus tantum præ-eminet exorcistæ, quanto amplius sacerdotes ?*

“ fine can, with the slightest instruction, call in question the inferiority and dependence of kings ? ⁽¹⁾

“ Remember also that few kings escape hell, and that among those who are saved by a rare exertion of the divine mercy, are less honored by the Church than the saints of a vulgar condition. What emperor, what prince, has worked miracles ? which of them can be compared, I will not say to the apostles and martyrs, but to the blessed of an inferior order ; for example, to a St. Benedict, a St. Martin, ? and what king in fine is worth a St. Anthony ?”

The royal dignity, so grossly outraged by Gregory VII. has been avenged by Bossuet. “ It is to do, ” says this writer, “ an atrocious wrong to the royal dignity, to assert its establishment by the instigation of the devil, by a blind passion, an insupportable presumption to excel one’s equals. Certainly, right reason and not pride, God not the devil, has instituted among men this subordination so advantageous to society ; one must be of an inconceivable ignorance in the history of antiquity, to attribute to ambition and pride the origin of legitimate empires. Justin, the historian, wishing to write the history of mankind, could not commence

(1) *Quis vel tenuiter sciolus sacerdotes dubitet regibus anteferri ?*

“ it better than in these words : At the beginning
 “ of all things, when men separated themselves into
 “ peoples and nations, the sovereign power belonged
 “ to kings. The historians of all nations ascribe the
 “ same origin to the royal power, and holy Scrip-
 “ ture does not attribute any other to it.”

Bossuet who condescends to refute in detail, all the maxims, all the arguments, of Gregory VII. traces for us the outline of the circumstances which favored so monstrous a doctrine. “ Gregory VII. says he, sought
 “ in every way to prop himself by human support,
 “ in order to maintain the novel power which he flattered himself with being enabled to exercise over
 “ all temporal things ; and he made great exertions
 “ in order to render the Holy See the master and
 “ proprietor of all the kingdoms of the world. .

“ After the decline of the family of Charlemagne,
 “ all the kings of the West had but a weak and tottering authority. The power of the great, who by
 “ degrees possessed themselves of all, almost equalled that of kings ; and among them the bishops, taking advantage of the respect which religion inspired,
 “ attracted to themselves all the principal offices of the State. Kingdoms thus finding themselves
 “ separated into various ecclesiastical and secular seignories, which assumed most of the rights and
 “ the principal prerogatives of royalty, the royal dignity lost much of its ancient majesty. The

“ kings exercised no more, so to speak, than a borrowed and dependent power : their weakness was such, that they fought sometimes with equal forces against their subjects and vassals. During this species of almost universal anarchy, wars, murders, and pillage, alone were spoken of. The royal authority, which from the ninth century had received its first wounds, fell into such contempt in the two following centuries, that there was scarcely a monarch in the time of Gregory VII. who sustained with any vigour the majesty of the throne and preserved its authority : for, though the Othos seemed still to make some use of their courage and their power to maintain their rights and those of the monarchy, in Germany and Italy, nevertheless, all was precipitating, as by its own weight, towards its total ruin ; and, under the reign of Henry IV. the cities and provinces revolted with unbridled license. France, heretofore so illustrious, and which had possessed almost universal monarchy, was not exempt from the evils common to the other kingdoms ; although, by her constitution and the succession of her kings, she made an appearance of some remains of strength. But the family of the Capets was not yet sufficiently firm on the throne, and Philip I. the fourth of this line, had neither the courage nor the genius necessary to sustain the weight of his crown. In England, William the Conqueror

“ had just seized on the kingdom ; and although he
 “ had considerable forces which secured to him the
 “ possession of the throne, he had not yet suffi-
 “ ently confirmed his power. Spain was reduced
 “ to the last extremity, on the one side, oppressed
 “ by the Saracens, on the other, separated into
 “ several petty kingdoms : the other states of Eu-
 “ rope, variously disturbed, found themselves in an
 “ unsettled situation.

“ It was in such circumstances that Gregory VII.
 “ formerly monk of the order of Cluni, ascended the
 “ Holy See, after having passed through all the
 “ inferior dignities. This pope, of a sanguine and
 “ elevated mind, of irreproachable manners, and of
 “ an unblemished reputation, zealous for the liberty
 “ and the power of the church, was rather inclined
 “ to go beyond that which was acknowledged to
 “ belong to his see, than to forego the smallest of
 “ his rights. Fully convinced that he would render
 “ an important service to religion, if he succeeded in
 “ subjecting to the Holy See, which is the centre of
 “ it, all the kingdoms of the world, even in respect
 “ to temporals, he ascribed to himself the right of
 “ establishing or deposing kings, as a consequent and
 “ an accessory of the power of the keys ; and pro-
 “ ceeding continually forward, there was no way or
 “ means which he did not employ to attack each
 “ individual sovereign, in order to render them all

“ his vassals, or as it was then expressed, in order to render them his liege men.”

There prevail so much absurdity and exaggeration in the ideas of Gregory VII. that, in the present day, one would be induced to think such a madness could never have become contagious. However, this system became, from that period, that of the Roman Court, and has never ceased so to be, as we can convince ourselves by those various documents which we are about to analyze or transcribe. Circumstances have sometimes rendered concealment requisite, exacted concessions, or suggested disguise : but, if we except Adrian IV. or Clement XIV. no pope whatever has expressly retracted the maxims of Hildebrand ; and the Court of Rome has professed, proclaimed, and practiced them, at all times that she had occasion and opportunity so to do.

In the twelfth century, we will only dwell on the decree of Gratian, an enormous code, in which the most insolent pretensions of the Court of Rome are erected into laws. Mark the idea which Fleury gives us of Gratian and of his book : “ He was a Benedictine of the monastery of St. Felix of Bologna, a native of Clusium or Chiusi in Tuscany, who, in imitation of Bouchard de Vormes, of Ives of Chartres, and of many other compilers, made a new collection of canons, which he entitled ‘ *the Concord of the discordant canons*,’ because he relates

“ in it many authorities which appear contradictory,
 “ and which he endeavours to reconcile. The sub-
 “ jects of this collection are, the canons of the an-
 “ cient and modern councils, the decretals of the
 “ popes, among others the false decretals of Isidore’s
 “ compilation ; many extracts from the fathers, as,
 “ from St. Ambrose, St. Jerome, St. Augustine, St.
 “ Gregory, St. Isidore of Seville, Bede ; but, under
 “ the names of the fathers, he often cites works
 “ falsely attributed to them, as criticism has since
 “ shewn. He reports laws also, drawn from out
 “ the code and digest of the capitularies of our
 “ kings.

“ Gratian has divided his collection into three
 “ parts. The first comprises one hundred and one
 “ distinctions, and he treats in it, of the law in ge-
 “ neral, and of its parts or divisions ; subsequently
 “ he treats of the ministers of the church, from the
 “ pope down to the lowest clerks. The second
 “ part is divided into thirty-six heads or subjects,
 “ which are so many species or particular cases,
 “ upon each of which he propounds many questions ;
 “ in the thirty-third he inserts, by way of digression,
 “ seven questions upon penitence. The third divi-
 “ sion is entitled, ‘ Of Consecration,’ and treats of
 “ the eucharist, baptism, and confirmation, and
 “ about some ceremonies. Throughout the work,
 “ the author treats occasionally of some questions in
 “ theology. It is said that Pope Eugenius III. ap-

“ proved it, and ordered it to be publicly taught at
 “ Bologna. What is certain is, that since this period
 “ scarcely any other canonical law is known than
 “ that which is comprised in this book, and it is
 “ named simply ‘The Decree.’

“ It favors throughout the new pretensions of the
 “ Court of Rome, founded upon the ‘False Decre-
 “ tals,’ in favor of which it fails not to cite the
 “ letter of Pope Nicholas I. of which I have spoken
 “ in its place. After having reported many author-
 “ ities of the popes themselves, who considered them-
 “ selves bound to preserve the decrees and canons
 “ of their predecessors, he adds: With respect to
 “ this, it may be replied: The holy Roman Church
 “ gives authority to the canons; but she is not
 “ herself bound by the canons, nor subject to them.
 “ As Jesus Christ, who made the law, has fulfilled
 “ it to sanctify it in himself; and afterwards, to shew
 “ that he was its master, dispensed with it, and freed
 “ his apostles from it; so the pontiffs of the chief see
 “ respect the canons made by them, or by others
 “ with their authority, and observe them with hu-
 “ mility, in order that they may be observed by
 “ others; yet sometimes they shew, whether by their
 “ orders, or their decisions, or their conduct, that
 “ they are the masters and authors of these decrees.
 “So says Gratian, but of his own head, and with-
 “ out alleging any authority for this doctrine, before
 “ unknown; yet the succeeding centuries have at

“ all times embraced it upon his word : all that is to
 “ be found in his decree has passed for the purest
 “ discipline of the church, and elsewhere they did
 “ not seek during the three succeeding centuries.

“ The decree of Gratian, says another writer, com-
 “ pleted the extension and confirmation of the autho-
 “ rity of the ‘ False Decretals,’ which present them-
 “ selves in it at every page : for, during a very long
 “ period, they drew their knowledge of the canons
 “ only from this collection. Gratian had even im-
 “ proved upon the ‘ False Decretals,’ in alledging
 “ that the pope was not subject to the canons.—
 “ Thus a confused idea was formed in the church
 “ that the power of the pope was without limitation.
 “ The evils which the decree of Gratian produced
 “ make the importance of criticism appear most evi-
 “ dent, which the most part of the schoolmen des-
 “ pised as a vain and a frivolous amusement. Idle-
 “ ness dissuaded from a long and laborious study.
 “ But this study is requisite to assure us of the truth
 “ of facts ; it would never be discovered by argu-
 “ ment alone ; and yet on these facts often depends
 “ all the conduct of life. We have fallen into terri-
 “ ble inconveniences, by lending our faith to false
 “ documents. Besides we become accustomed to
 “ receive without discernment every description of
 “ history ; and from thence have proceeded so ma-
 “ ny fabulous legends, so many false miracles, so

“ many ridiculous visions and pretended revelations.”

Bossuet passes the same judgment on the rhapsody of Gratian : “ This decree, says he, is a compilation of the canons of councils, decretals of popes, and extracts from the holy Fathers. It is unnecessary to warn the learned of the multitude of errors in this collection, in which neither discernment nor criticism are perceptible. Gratian has been the first, who dared to put to the head of a decree, the following title : “ That the sovereign pontiff absolves subjects from the oath of fidelity.” As no author has favoured so highly as he has done the extravagant pretensions of the Court of Rome, the popes, on their part, have passed on him splendid eulogiums. It is by this he has obtained so much authority amongst the canonists and theologians who have succeeded him.”

The thirteenth century commences with the pontificate of Innocent III. and ends with that of Boniface VIII. these two names suffice to attest the perseverance of the court of Rome in its ambitious pretensions.

We have sufficiently shewn, in our first volume, the actions and the maxims of Innocent III : he has openly declared himself the king of kings, the universal monarch of christendom. One of his successors, Gregory IX. published an ecclesiastical code, a new body of decretals, which completed the subjec-

tion of the churches, to the disturbance of States, and the corruption of the clergy.

“ The rules of the new law, says Richard Simon, which commenced principally under pope Nicholas I. who lived about the middle of the ninth century, brought on a great change in ecclesiastical affairs. Pope Gregory VII. who lived in the latter part of the eleventh century, extended the precepts of this new law beyond all that his predecessors had done ; and very far from the popes who came after him relaxing from these novelties, on the contrary, they augmented them : so that the law, which has been introduced into the church since then, deserves rather to be termed ‘ the popes law,’ than the ‘ canonical,’ because, in the establishment of this new law, so much regard has not been paid to the ancient rules of the church, as to the convenience of the popes and the court of Rome ; which has caused in the course of time great disorders : princes were obliged to make laws and declarations to oppose these abuses ; but it has not been in their power wholly to remove them.

“ The compilation that Gratian the Monk made of the canons of the councils, the decretal epistles of the popes, and of many sentences of the fathers, with which he composed a body of canon law, contributed much to sanction the new law ; for this collection of canons was taught publicly in

“ the schools, and they even made use of it in making their decisions. The fathers and the councils were not read at the fountain head, but only in the ‘ Decree of Gratian’ ; and people were not sufficiently enlightened in those days to perceive, that a great number of Gratian’s citations were false, and that he did not always follow the rules of the ancient law, having inserted in his collection many suppositious pieces : besides that, he gives to the decretals of the popes the same authority as to general councils, and he even sometimes wrested the words of the ancient canons, in order to accommodate them to the law which had been sanctioned by the popes of his time. But the collection of the decretal epistles of the Popes, which was made by order of Gregory IX. produced a much greater change in the ecclesiastical affairs : nevertheless they were publicly read in the schools of France, as well as the collection of Gratian.— These decretals have been the origin of an infinity of law suits ; and, though they were received in the Western Church, and publicly taught by the professors of canon law, they were obliged to reject them in many instances, and to have recourse to the ancient canons. The compilation of Gratian was then named the ‘ ancient law,’ though it contained many novelties ; but, in comparison with the books of the decretals, there was reason so to call it. The long and grievous disputes that

“ the kings of France had with the popes, were the
 “ cause of the French despising the collection of
 “ the decretals, and that at the present day they
 “ hold them in but little estimation. They believe
 “ that this work was compiled only to establish the
 “ interests of the pope, and to overthrow altogether
 “ the ancient law. They have yet before their eyes
 “ all the satires which have been composed against
 “ the decretals, and this proverb which was formerly
 “ so common :—

“ Depuis que le ‘ decret’ prit *ales*
 “ Et gendarmes portèrent malles,
 “ Moines allerent a cheval,
 “ Jamais le monde n’eut que mal.”

The universal power of the popes was so decisively established in these codes, that the distribution of crowns seemed to have become, in the thirteenth century, one of their usual functions. They exerted this right with so perfect a freedom, that they offered, nay even gave the same kingdom to many princes at the same moment. It was thus that Innocent IV. and Alexander IV. acted, who invited to the throne of the Two Sicilies a son of the king of England at the same time with a French prince. Innocent IV. negociated this affair with Saint Louis, and

addressed to the king of England also the following bull :

(1) “ Innocent, bishop, servant of the servants of God, to our very dear son in Christ Jesus, the illustrious king of England, health and apostolic benediction. Our hearty and especial affection for the family of the kings of England, inspiring us with the desire to elevate it over all the kings of the world, we have sent into this country our dear son and apostolic notary, master Albert, who is filled with zeal for the glory and interests of this same family, and who must enrich and advance it in conferring upon it the kingdom of Sicily ; which kingdom surpasses in opulence and in riches the other kingdoms of the world, and which has just devolved to the Roman Church ; and, although we have treated respecting this kingdom in divers places, yet, as your only nephew still remained there, and that it was not expedient that you should appear to thirst after your own blood, and to sigh for the spoils of your neighbours, you have deferred even to the present moment to receive this honour and advantage. But now this nephew existing no more, you have desired to have a son in common with the apostolic see, and you have devoted for ever to the service of the said see our very dear son in Christ, Edmond,

who was begotten of you, and who becomes king of Sicily ; causing him to receive the said kingdom from the hands of our said legate, to whom we have given for this purpose full powers ; all for the honor of God and the Church, and the tranquillity and peace of all Christian people. On which account we render to your Highness all manner of thanks, and we are disposed and ready to do all in our power pleasing to your heart. Having then reflected, by the advice of our brethren, that it was suitable the collation of said kingdom, made to the said king, by the aforesaid legate, should be confirmed by us, we, of our ample power supplying every defect which may be found in said act, from whatever cause it may be, pray and exhort your royal magnificence to consider, if pleasing thereto, that, all the sovereigns seeking from us and expecting of us a decision respecting this kingdom, the affair from its very nature, exacts and requires a very great celerity ; that delays in such a matter, are accustomed to draw after them the most serious inconveniences ; that in consequence it imports much, that pursuing this enterprize with a vigorous arm, you equip abundantly the said king, and that he be suffered to want neither soldiers, nor money, nor any of those things which may be necessary for him ; that he be provided with them fully, quickly, powerfully ; in order that, when he shall be received into this kingdom, in which he is desired like the

morning star, he may arrive with the magnificence suitable to so great a prince: holding for certain, this affair being of God, not of man, all will succeed happily for the said king, and that, on our part, we shall take care to support him richly in men, and in all things and ways whatsoever; disposed as we are to pledge ourselves, us and the Roman Church, for whatever may be useful to the success of this enterprize. Done at Assasis, the ides of May, year 11 of our pontificate (1254)."

This piece which we have just read we have taken from the archives of the castle of St. Angelo. As to the monuments of the contests between Philip-le-Bel, and Boniface VIII. they have been so often presented to the public eye, that we shall here confine ourselves to simple extracts from the bulls '*Clericis laicos, Ausculta fili, Unam sanctam.*'

(1) "By the advice of our brother, and of our apostolic authority, we declare, that all prelates, all ecclesiastical persons, religious persons or seculars, of whatever order, condition, or state, they be, who, without the authority of the Holy See, shall pay, promise, or consent to pay, to laics, under pretence of relief, loan, supply, gift or subsidy, or under any other title or pretext, of the collects or taxes, a tenth,

(1) See Appendix F.

a twentieth, a hundredth, of their revenues or possessions, or those of the churches, or any other quantity, portion, or quota, of the estimation or value of the said possessions or revenues :

“ That, likewise, all emperors, kings or princes, dukes, counts or barons, magistrates, captains, officers or governors, under whatever name they may be, whether of cities or other places, wheresoever situated on the habitable globe :

“ That all other persons, whatever may be their rank, condition or position, who shall have imposed, exacted, or received such tributes, or who shall have stayed, seized, or occupied effects deposited in the churches, or in the houses of ecclesiastics, or who shall have ordered to be so stayed, seized, or occupied, or who shall have received the said effects when so stayed, seized, or occupied :

“ That all those also who knowingly shall have aided, advised, and publicly or privately favored the contributions or exactions herein mentioned, “shall have incurred, by the act itself, the sentence of excommunication.”

(1) “ Boniface, bishop, servant of the servants of God, to our very dear son in Jesus Christ, the illustrious king of the French, greeting and apostolic benediction. Hear, my very dear son, the precepts of your father, and incline the ear of your heart to the

(1) See Appendix G.

lessons of the master who holds the place of Him who alone is master and lord. Recollect with teachableness the advices of the church your holy and tender mother, and so act that, in fulfilling them efficaciously, you may return with a contrite and respectful heart to that God, from whom it is known that you have strayed, either from weakness or from the evil counsels which have depraved you ; conform yourself devoutly to his will and to our good pleasure.

“ For God, in imposing on us the yoke of apostolic servitude, has appointed us, in despite of the insufficiency of our merits, over the kings and over the kingdoms, to pluck up, to destroy, to disperse, to build up and to plant, in his name and under his doctrine, to strengthen that which is weak, to cure that which is sick, to connect that which is broken, to lead back that which is gone astray, to pour oil and wine on the wounded. Consequently, my dear son, let no power persuade you that you have no superior, and that you are not under the authority of the head of the ecclesiastical hierarchy. For, to hold such opinions is to be foolish ; to maintain them obstinately is to shew one’s-self unfaithful, and to wander from the flock of the good shepherd.— Now, though our solicitude extends over all kings, especially over those princes who fight for the christian faith, and that we are occupied for the salvation of every one of them, yet ought we to fulfil our duties towards you with so much the more exactitude,

charity and attention, as we feel towards your person the more lively paternal sentiments, and that, among our different states, we have always distinguished by a more pure and abundant favour, not only you, but also your ancestors, your house, and your kingdom.... ..

“ You collect without moderation, and consume, with still less measure, the revenues and produce of the bishopricks which become vacant in your kingdom. From this pretended right, which you call ‘ regal’, it results, that the possessions, of which kings were originally but the depositories and the preservers, are by you abusively devoured.... ..

“ You know how often we have remonstrated before God and before you against this abuse, and against all similar abuses: our voice has made itself be heard; it has denounced crimes, disclosed prevarications; in the hope of inspiring you with a salutary repentance, we have cried with such persevering efforts that our voice is waxed hoarse from it; but, deaf as the adder, you have closed the ear to our useful warnings, and you have repelled the remedies which we presented to you in order to cure you.

“ That there are two swords; to wit, the spiritual and the temporal, the evangelic words teach us.— In fact, when the apostles said, ‘ Behold two swords, here they are,’ here, that is to say, in the Church; the Lord Jesus replies not ‘ it is too much’ but that it is ‘ enough.’ Undoubtedly, he who pretends that

the temporal sword is not in the power of Peter, pays too little attention to this word of the Lord.— ‘Put up your sword into the scabbard.’ Both the one and the other are then in the power of the Church, the material sword as well as the spiritual one; this to be used by the church herself, that to be employed for her benefit. The spiritual is in the hand of the priest. It is necessary the one sword be under the other; that the temporal authority be subordinate to the spiritual power.

“We declare, assert, decide and pronounce, as a point necessary to salvation, that every human creature is subject to the Roman Pontiff.”

We cannot be surprised that a pope, of whom such were the maxims and pretensions, allowed himself to write to Philip-le-Bel a note thus couched :

(1) “Boniface, bishop, servant of the servants of God, to Philip, king of the French: Fear God, and do his commandments. We wish that thou shouldst know that thou art subject to us in spiritual and in temporal matters. The collation to prebends and to benefices does not concern thee in anywise; and, if thou art sometimes charged to keep those which become vacant, thou shouldst reserve the fruits of them for the successors of the deceased titulars; and if thou hast conferred any of them, we

(1) See Appendix H.

declare the collation to them null, and we annul whatever may proceed from thence. We declare those who think otherwise heretics. Done at our palace of the Lateran, the day of the Nones of December—year seven of our pontificate.”

Among the monuments of the fourteenth century which continue the tradition of the maxims of Gregory VII. and of Boniface VIII. we shall select a bull, in which John XXII. declares that his will is, that Italy, Germany and France, be henceforward three distinct states, and independent one of the other. This piece is now printed for the first time.

(1) “The uncertainty of human judgments upon future events being so great, that what presents itself as a probable and reasonable conjecture, supported even by the most plausible considerations, happens sometimes to be recognized not only as useless but even dangerous ; there is often wisdom in changing for new purposes, and wiser determinations, the designs which had been fixed on. This the history of the imperial institution has proved, an institution which, as long experience has demonstrated to us, has very badly answered the idea conceived of it. In the main, the authority of books

(1) See Appendix. I.

attests that the empire was vicious in its origin : it arose from the ambition of a conqueror, and was established by violence and audacious enterprizes. It is apparent, it is everywhere notorious, that many, very many, emperors have lived catholically, that they have been by their words, and by their examples, useful to their subjects, and that they have becomingly protected, favored, and defended the church their mother ; some however, impelled by the motion of a perverse presumption, declining from such filial piety, and soon becoming unnatural children, have abused their power and their functions, in order to persecute their own mother the holy church, and to offer violence to the dignity of divine worship and public tranquillity. In fine, open the books, they are full of the bitterest recollections : we there see how Domitian, the brother of Titus, cruelly tormented the church and the faithful disciples of Christ, even to banishing into the island of Patmos, the blessed apostle John ; how Julian the apostate caused to this same church sorrow and tribulation, he who wished to exterminate the orthodox, he who, by a sacrilegious vow, promised to persecute the church openly if he triumphed over the Romans and Parthians ; what unworthy treatment had the church still to endure from the emperor Valerius, who, in each province, vexed and condemned to the greatest tortures the faithful and catholic people whose temples he destroyed ; what crimes com-

mitted by Pelagius, another persecutor of the Christians, who having arrived in Italy and reached even to Rome, exiled more than thirty-four bishops, closed their churches, and tormented the people with numerous punishments; what cruel acts have signalized the tyranny of the emperor Anastasius, the author of so many murders, so many massacres, the ferocious persecutor of the priests and the clerks, the hardened despiser of their persons and of their salutary warnings, an obstinate sinner whom nothing could lead into the way of salvation; finally, what an odious memory has Leo Augustus left behind, who destroyed the sacred edifices, and whom our predecessor Gregory, a Syrian by nation, deposed, and spoiled of his dignities. What shall we say of Trajan, of Nero, of Heliogabalus? The books speak sufficiently of them, and renew by their public recitals the remembrance of so many ancient enormities. The examples of injurious and bitter treatment, which the emperors have caused the Church and the faithful servants of Christ to endure, are without number; it is difficult to sum up the various persecutions of which the Christians have been the victims. And, to end in a few words those details, we may say, generally speaking, that before Constantine few of the Roman princes favored the church, and that many, on the contrary, have loaded it with outrages. However forcible the instruction may be which we derive from books, neighbouring

examples and recent experiences present us lessons still more impressive. We know, and the memory of it is not very distant, we know, that the emperor Otho of Saxony, after having obtained from the Church the confirmation of his election, made in prejudice of his competitor Philip duke of Swabia, after many services rendered to him by this same church, became suddenly ungrateful, lost the recollection of so many favors, turned his back on his benefactress, insulted her in a thousand ways, and attempted to invade, with the most rash presumption, the kingdom of France: he suffered the punishment due to his crime, he perished in war, and in no place was his body found, as we learn from the history of pope Innocent, of happy memory, our predecessor; it is a notorious fact, though it do not approach very nearly to our time. It is proper also that posterity attentively recal the culpable efforts of the ungrateful Frederick II. who, hardly out of the tender years of infancy, hardly weaned from the milk of his mother, the Holy Church, brought up by her cares, kept for a long time with paternal solicitude, by many cardinals, governed by the providence of the Holy See, snatched from dangers and tribulations, he obtained, with the assistance and by the exertions of this same church, the royal kingdom of Sicily, acquired a pre-eminent authority, and thus succeeded to the empire; but who afterwards, given up to a reprobate judgment, and profoundly perverted, attacked the

church, and afflicted her with all sorts of outrages, oppressing the cardinals, arresting, with the most sacrilegious audacity, the prelates called to a general council, and carrying his tyranny to such excess, that Innocent IV. our predecessor, of happy memory, saw himself compelled to fly far from the face of his persecutor, to abandon the See of St. Peter, to quit Italy, and transport himself to Lyons with his brethren. It was there that Innocent, imposing upon Frederick the punishment due to so many wicked attempts, deposed him, despoiled him of the titles of king and emperor, stripped him of all honor, of all dignity, even as justice demanded. We must not forget, on the contrary we should consider with a special attention, the recent enterprize of the emperor Henry, who, in these latter times, troubled all Italy, overleaped the bounds of duty, and, suffering himself to be borne away by the wind of a rash presumption, despising the advice, the prohibitions of Clement V. our predecessor, of happy memory, had conceived the project of invading, by force, the kingdom of Sicily, upon which the Church, our holy mother, has a direct right of ownership, and, had already approached the confines of this kingdom at the head of a numerous army in order to accomplish, by impious endeavours, his most criminal resolution, despite the reprimands of our brethren, who, sent by the Holy See for his coronation, represented to him, that to invade Sicily

was to lack of that faith he owed to the church, and to forget with too much knavery the oaths of fidelity she had received from him.

“ Thus, since the object of the establishment and preservation of the Empire has ceased ; since the occasion for this dignity has disappeared ; since, on the contrary, events prove that this institution produces effects the reverse of those hoped for from it : We, to whom by a spiritual prerogative, by a pre-eminent authority it belongs, to pluck up, to destroy, to plant, to erect, to divide and to unite ; We, by the omnipotence of the Eternal Father and of his apostles Peter and Paul, by the entire confidence and hope which we place in them, furnished with their suffrages, after having deliberated with our brethren, and having determined by the most mature considerations ; seeing the reasonable motives above exposed, with many others, which we insert not in these presents in order to avoid prolixity, the mother of forgetfulness, we wholly cut off from the empire and from the kingdom of Germany the province of Italy, we release it from all submission to the said empire and kingdom, we separate it from its community and jurisdiction, and we establish between these countries a necessary division ; and, in the plenitude of our power, we deliver Italy ; ordering, that it never at any time be joined and united to the empire, nor exist with it as one body ; declaring, that the principal motive of our present decree is, the enor-

mous extent of these provinces leading to much confusion, preventing the effect of the jurisdiction and of the government of one and the same sovereign, in such way that care is neglected to be taken of them, and that the spirit of the government, being divided among so many objects, has the less force in each part of so vast an empire; we reserve to ourselves to provide more particularly, with the aid of the providence of the Eternal King, after the counsel of our brethren, and by solemn deliberation, for the regulation and government of the said provinces; declaring besides, that the said kingdom of Germany is distinct from the kingdom of France, that it is separated from it by limits fixed and notorious, which shall be by us, with the advice of our brethren, determined in the most precise manner. In which we follow the example which Jesus Christ has given us, when, because of the crimes of kings, he divided the kingdoms. It is thus also prudence counsels, which separates evils, lest united vices should produce more mighty offences. Experience, finally, teaches us, that when one has not derived from an establishment the good effects hoped from it, it becomes necessary to have recourse to other remedies."

If we wish to be still further acquainted with the doctrine which the popes of the fourteenth century endeavoured to propagate, we may run over a large

work, entitled "*Deplanctu Ecclesiæ*." ⁽¹⁾ composed by a Franciscan attached to John XXII. and named Alvaro Pelagius. This book is a long development of the maxims of Gregory VII. The author maintains in it, that there is upon the earth but one monarch, to wit, the pope; that the pope is appointed to judge every creature; that he possesses at all times and in all places a spiritual and temporal jurisdiction; that one can appeal from the pope only to the pope himself; that the church is armed with two swords; that she is not comprised within the empire, but, that the empire, on the contrary, is comprised in the church, and exists but by her.

Although the disorders of the pontifical court of Avignon, and the schism which was prolonged even to the middle of the fifteenth century, had brought the popes into disrepute and provoked projects of reform; altho' the councils of Constance and Basle had essayed to establish some of the laws and maxims of the primitive church, the pretensions of the Holy See remained the same, and the Italians generally supposed themselves interested in supporting them: the despotism and the exactions of the Court of Rome seemed to have become the principal business and almost only resource of all Italy. It was no longer fanaticism nor yet ambition, it was policy and the

(1) *Alvari Pelagii de Planctu Ecclesiæ, libri duo.* Ulmæ, Zainer de Rutlingen, 1474. 26 Octo. in fol. 1. ed.—Lugd. 1500, in fol.—Lugd. 1517, in fol.

most sordid interest, which demanded the maintenance of errors, of abuses and of scandals. Such are the reflections suggested by the acts emanating from the sovereign pontiffs of the fifteenth century, especially from the bull which Pius II. addressed to the University of Cologne, and in which he retracts the sound doctrine he had professed at the council of Basle.

We will not transcribe this long bull, which has been so often printed ; but here you have some specimens of it :

(1) " We were yet in the minor orders, we had not received sacred orders, when, living at Basle in the midst of those who called themselves members of a general council, and representatives of the universal church, we addressed to you a book of dialogues, in which, treating of the authority of the œcumenical council, of the acts of the fathers of Basle, and of their contests with Pope Eugene, are approved or condemned what appeared to us worthy of approbation or censure, supporting or opposing according to the measure of our capacity, but without allowing to ourselves any prevarication, neither hearkening to favour or to hate. We thought we did well, thought we walked in the right path ; we had in view only public utility, and for our guide

(1) See Appendix K.

the love of truth. But, what mortal is not liable to error ! And we, we also, have deviated ; we have wandered far from the bosom of our mother, far from the path we ought to have pursued ; we have walked in darkness, we have led others to the precipice ; blind ourselves, we lent ourselves as conductors to those who were blind also, and we have been seen to fall with them into the pit. Seduced, and sinners like St. Paul, we have, through ignorance, persecuted the church of God, and the see of Rome, the first of sees. For which cause, prostrated before the eyes of divine mercy, we pray of it not to remember the sins and the follies of our youth. We blush for our fault ; we repent sensibly for having done evil, spoken evil, and, above all, written evilly : for, we offended much more by our writings than by our actions. But what can we do ? a writing once published takes wing and cannot be recalled. These writings, fallen into many hands, and read by the public, are no longer in our power. Would to God they had never seen the light ! for, if they should descend to future ages, and fall into the hands of the perverse or the imprudent, they may well cause scandal. “ The author, they will say, has finished “ by seating himself in the chair of St. Peter ; he has “ fulfilled the functions of the vicar of Jesus Christ— “ Ha ! ha ! behold what this same Eneas wrote, who, “ in the sequel, having obtained the sovereign pontifi-

"cate, has been called Pius II. ; and yet we do not
 "see that he has changed his opinion. Those who
 "have elected him, those who have placed him on
 "the pinnacle of the apostolat, have without doubt
 "approved his writings." It is much to be feared
 that this objection may be some day made to our
 successors, and that the works of Eneas Sylvius,
 attributed to Pius II. may seem fortified by the au-
 thority of the very see against which they declaim.
 Thus we are obliged, my very dear children, to imi-
 tate the blessed Augustin, who having inserted in
 his works some erroneous articles, published re-
 tractions of them. Therefore we say, that as the
 cranes follow one crane, and the bees follow their
 queen, so also in the church militant there is one
 pope, one supreme mediator, one universal arbiter,
 one vicar of Jesus Christ.....The Evangelists make
 no mention of two Peters, of many Peters ; the Lord
 has not established two or many vicars, to hold his
 place as so many equal chiefs ; but has constituted
 one only as the generalissimo, the pastor of all the
 flock ; and this sole chief was Simon Peter, to whom
 were addressed these words : "Thou art Peter, and
 "upon this rock (petram) I will build my church,
 "and I will give thee the keys of the kingdom of
 "heaven, and all that thou shalt bind upon earth
 "shall be bound in heaven, and all that thou shalt
 "loose upon earth, shall be loosed in heaven also ;
 "and, feed my sheep....." No other man save

Simon has derived from a stone this name of Peter : he alone took in his hand the sword, to deliver the Lord God from danger. If you find this doctrine contradicted in our dialogues, or in our epistles, which are numerous, or in our other little pieces, for, we have written much in our youth, reject and despise those vain discourses : follow our lessons of this day, believe the old man rather than the novice, and prefer not the private man to the pontiff. Abandon Eneas ; hearken to Pius. This profane name of Eneas our parents imposed on us the moment of our birth : Pius is the christian name we have taken in our apostolat. Perhaps they will tell you, that this idea of the pontifical supremacy is only come to us with the pontificate, that, in obtaining so high a dignity, we have changed our maxims. It is not so,.....

“ At Basle were to be found the deputies of the Parisian school, so renowned and so celebrated ; there also were heard your orators and those of other universities of Germany : all, with unanimous voice, elevated to the heavens the authority of a general council. Now such as the masters are, so are the disciples : it is but usual. There are few Aristotles capable of overthrowing the dogmas which Plato has taught them. The disciple is not above his master, and in fine, we have not been able to go beyond those who instructed us. To prefer the council to Eugenius, was the universal cry ; every-

thing resounded with the name of the council. Here then is the doctrine with which we were imbued when, forming some years after a higher idea of ourself, we said to ourself with the satirical poet : *Shall I always remain an auditor ? shall I not also speak in my turn ?.....* We have seen our error : the flock of Christ is the church : the first pastor was Christ himself ; a good pastor, who sacrificed himself for his sheep. The second pastor was Peter, ordained by the Lord, and invested with all the power necessary to rule well the flock which was confided to him : otherwise Christ, who is the wisdom of the eternal father, and who cannot act but wisely, would have provided badly for the necessities of his church ; which it would be impious to suppose. And, although many churches have been established on the earth, although there be many flocks, many sheepfolds, many pastors, all nevertheless were, and are now in the present day, united under one only pastor, in one only flock, in one only sheepfold : for Christ has only one nuptial bed, one only spouse, one only flock ; therefore one only pastor ; the bishop of Rome is the only head of all bishops, he is the successor of the blessed Peter, the vicar of Jesus Christ. In fact Peter having first occupied the See of Constantinople came to Rome ; and as he wished to quit it to avoid persecution, the Lord forbade him : Peter terminated his life here by a glorious martyrdom, and had for

his successor Clement.....It is then apparent, that there is in the church but one head, one prince. The tranquillity of the public depends on the unity of the sovereign power; a plurality of heads engenders discord. Now Christ, by his will, has bequeathed tranquillity to his church, and with many words has recommended peace to it. Therefore he has given it a government friendly to peace, that is to say, monarchical: he has willed, that the general administration belong to the blessed Peter, and to his successors; he has confided the keys to Peter; he has charged Peter to take care of all the flock. Behold what we think of the authority and power of the Roman pontiff, to whom it is given to convoke and to dissolve general councils.The church's body is not without a head; it is the head which distributes through the members force and activity. Such is, our beloved children, our doctrine, that which we believe, that which we profess; that which, arrived at old age, and to the supreme apostolat, we declare to be the sole true one. If we have formerly addressed to you, and to others, writings contrary to this doctrine, we revoke and disavow them as erroneous, and as the fruits of the waywardness of our youthful age.

“ Given at Rome, at St. Peter's, the 6th day previous to the kalends of May, 1463.”

It is to be remarked, that Pius II. in this bull,

contents himself with asserting the superiority of the popes over the councils, and that he avoids considering in his relation the apostolic authority in respect to that of kings. The popes of the sixteenth century were sensible of the propriety of reproducing more clearly the maxims of Gregory VII. and, in spite of the progress of heresies and of knowledge, in spite of the power and the energy of many monarchs, in spite of many circumstance that could bridle pontifical ambition, or at least induce it to conceal with a veil the extravagance of its pretensions, she dared more than ever shew herself openly, persuaded, no doubt, that to conceal herself at such time was to risk disappearing for ever. If we except the eighteen months of the pontificate of Adrian VI. the court of Rome has not ceased to challenge, during the whole course of the sixteenth century, the most absolute sovereignty over empires as well as over churches.— This is the conviction resulting from the facts drawn together in the ninth chapter of our first volume, and a large number of solemn acts too generally known, and too often published, for us to permit ourselves to produce them here ; for example, the bull ‘*In coena Domini*,’ one of the most memorable productions of this century. Among the unedited pieces of the same character, and of the same era, it shall suffice us to cite the determinations which the abdication of Charles V. gave place to in the interior of the court of Rome. Behold what were the arguments of the

theologians of Paul IV. to prove that an emperor could not renounce the exercise of his functions without the permission of the Holy See.

(1) "Without any doubt, the power, the authority of the Roman Pontiff is in such manner sovereign, that all others ought to recognize it, not only as superior, but as the source from whence emanate their splendour and their power. For the Almighty has given to Peter and to his successors, key-bearers of eternal life, all the rights of empire, terrestrial and celestial.

"I say, that the renunciation of empire, made without the consent of your Holiness, is neither regular nor legitimate, because it ought to have been resigned into your hands The first reason for it is, that a renunciation ought to be made into the hands of the superior. Now the sovereign pontiff is the superior of the emperor and of all the princes of the world, since he has established them all, as said Innocent III. writing to the king of Bulgaria, and that, in establishing them, he has exercised an authority not derived from man, but which proceeds from the Son of God, whose vicar the pope is upon earth. By me princes reign, is written in the book of Proverbs, and by me legislators make equitable decree. No person can be called august, none

(1) See Appendix L.

called emperor, if he has not been approved, consecrated, and crowned by the pope, as said Paul the deacon, in the book on the origin and achievements of the Franks, and as said also the archbishop of Florence, in the first part of his collection book, 4th chap. 10, in which he explains these words of the Gospel according to St. John : Peter feed my sheep. If the emperor, if the kings, if all the princes of the world desire to be sheep of Christ, they must declare themselves submissive to the authority and rule of the sovereign pastor, who is the pope. In token of which the pope, in right of superior, blesses the emperor his inferior, conformable to these words of St. Paul's epistle to the Hebrews : " He who occupies the less elevated rank is blessed of him who is placed above him."

"The sovereign pontiff, the true vicar of God and of Christ in the earth, being the superior of the emperor who holds from him his power : the emperor even having been confirmed, anointed, crowned and consecrated by the sovereign pontiff, who imposed his hands on him at Bologna, I say, that he has not power, by his sole authority, without the hearing and consent of the pope, to abdicate the imperial crown : such is the doctrine generally received, which I derive from the doctors of either law ; the law, reason, and the authorities, unite to confirm it. The same is observed in military discipline : an of-

ficer renounces not his duties without the permission of the superior officer who has laid them on him ; he cannot abdicate them without the loss of his honour. Now the emperor himself, in his own edicts, considers himself, say they, as one of the warriors of his army.

“ I say, that not only the election or promotion of a new emperor ought to be suspended or hindered, but that, inasmuch as it is contrary to public oaths, the person promoted ought to be deposed, dethroned, even as is lawfully practised in other circumstances, especially against Frederick, whom Innocent IV. deposed in the presence and by the advice of his venerable brethren.

“ It would be more easy for us to reply to the question, if this pretended cession of the empire had been published, or exhibited to us ; but at all events it is certain, that all that has been dared or attempted relative to this abdication, to this translation, to this occupation of the empire, unknown to the Roman Pontiff, without having consulted him, without his having either ordered or approved it, him whom this affair essentially regarded, ought to be considered as null and of no effect, and the contrary hypothesis cannot be defended, either by the authority of any law, or by any plausible arguments. The abdication of Charles, the deliberation of the electors, the acceptance of the imperial dignity by a new prince, are so many rash acts. If Cesar wishes to abdicate

the empire, he cannot do it of his own will, according to his caprice, and before whomsoever he may think proper :—it is necessary he should address the request to the sovereign pontiff, and that he should obtain permission from him whom he has for a superior, and whose supremacy he ought to recognize ; from him by whom alone he has been promoted to the empire, and to whom he has taken, as the law requires, the oath of fidelity and perpetual obedience ; from him who, in fine, has the power, well recognized, to deprive and to depose him.

“ Christ himself, our Lord, having arisen from the dead, and being upon the point of ascending into heaven to his Father, who had sent him ; Christ has left this power to Peter in saying to him three times,—Feed my sheep ! Feed my sheep ! Feed my sheep ! The council of Florence, in expounding these words, declares, that the Apostolic See and the Roman Pontiff enjoy the primacy over the whole universe ; that the pope is the successor of the blessed Peter, prince of the apostles ; that he is truly the vicar of Christ, the head of all the church, the father of all Christians, the universal doctor ; that the blessed Peter has received from our Lord Jesus Christ the full power to guide, rule, and govern the entire church, as is testified in the acts of oecumenical councils, and in the sacred canons ; in such mode, that the power, the monarchical principedom over all Christian people, belongs, without ambiguity,

to the pope, and belongs to none but him, from whom proceeds and on whom depends all power regal and imperial. For our Lord Jesus Christ is himself the sole prince, the sole monarch, the sole emperor of the world; now, he has for vicar the pope, who consecrates the emperor and the kings, from whom the emperor holds his name, and receives the sword destined to punish the wicked, and to glorify the saints. This is what Constantine the Great acknowledged, what the emperor Marcian confessed at the council of Chalcedon; the emperor Otho, and all the emperors successively, they have done homage for their imperial power to the sovereign pontiff, even as the Greek and Latin historians write. Such was the authority of pope Zachary, when he dethroned the king of France, and released his subjects from their oaths; such the authority of Innocent III. when he excommunicated the emperor; of Innocent IV. when he dispossessed Henry; and of many other sovereign pontiffs, who, in the name of God, have stripped emperors of empire and kings of their kingdoms. In fine, the pope is the monarch of the world: it necessarily follows that he holds in his hands both the one and the other sword, since Moses, whose successor he is, was armed with these two swords, and that Jesus Christ, our Lord, has made use of both one and the other. In virtue of this power, the pope has created, and at all times creates kings, and he transfers empire from one to

the other: Stephen III. transferred it from the Greeks to the Germans, and John de Turre-cremata relates it in his treatise on the papal power, chap. ix. col. 4. It was the pope who gave to seven German princes the right to elect an emperor, as Innocent III. relates: this election made, he who has been elected comes to solicit the pope to confirm it; he supplicates the sovereign pontiff as his superior, to whom he takes an oath of fidelity; an oath which, as well as the consecration, sufficiently manifests the inferiority of the prince. It is from the pope the emperor receives the imperial crown, and the sword, and the imperial ornaments, and the name of emperor, and the title of Augustus: is more necessary, to demonstrate with the clearest evidence, that the emperor holds his power and his dignity, not from his electors but from the pope? An emperor named Henry having pretended, that he had never taken such oath of fidelity, it was declared under Clement V. in the council of Vienna, that every oath taken by an emperor to the pope and to the Apostolic See is an oath of fidelity; thus was it practised without the least difficulty from the time of Otho and of Henry, even to that of Charles V. the predecessor of the present pretended emperor.

“Relative to the question, whether Charles V. had power, without the consent of your Holiness, regularly and legitimately to cede the empire to his brother, there is no problem in it, since there is one

point which cannot be controverted. When a thing cannot in anywise be done, where is the use in asking if it can be accomplished regularly and legally ? Now, that the emperor cannot in anywise cede the empire, every thing proves ; arguments, authorities, precedents : for the imperial jurisdiction, proceeding from the Roman pontiff as from the vicar of Jesus Christ, the vicar whose hands are the rights and powers of all kingdoms, the prince on whom such jurisdiction is conferred does not possess it as a property which he can cede ; but he ought to bear the burden which has been imposed on him, so long as the sovereign pontiff deems it expedient he should bear it for the interests of the catholic church. But, if the emperor himself perceives that lawful causes prevent him from longer sustaining the weight, he should represent them to the Roman pontiff, in order that he, if he find them just, might admit them, and release the supplicant from the bonds which enchain him. No person can ever be delivered from such obligations, but by him who has laid them on. Therefore the emperor cannot abdicate a power of which he is not the master. A hundred examples teach us, that the emperors never have arrogated to themselves the imperial power as a property which they held of themselves. We know that Otho, that Henry, that Frederick, that Charles IV. attest in their letters that each of them has been, in his time, promoted to the empire by the Roman

pontiffs. Nothing then is here effected without the authority, nothing without the order of the Apostolic See, which, as said Gregory IX. in transferring the empire of the Greeks to the Germans, far from lessening in anywise the substance of his own jurisdiction, has on the contrary subjected that of the empire, and has bestowed the power of the sword. Thus an emperor is convicted of want of faith and of honour, when he refuses to acknowledge the pope for his creator.⁽¹⁾ After all, if he who is to be promoted to the empire must previously be examined, scrutinized, approved, anointed and consecrated by the pope; with what front, with what pretension can the intruder dare occupy the empire, who has not undergone the examination of the Apostolic See? Gregory IX. and, before him, Innocent III. and Innocent IV. have affirmed, and we affirm with them, that every candidate for the empire is subject to this scrutiny. If any person pretends to exercise the imperial authority without having been approved by the Holy See, John XXII. declares, that it is not allowable to obey or adhere to such prince, neither as to an emperor, nor yet as to a governor."

The fragments we have just read, present the papal system in all its purity. Here behold, from

(1) *Factorem suum* : 'factor' is, in church Latin, synonymous with 'creator'—*factorem cœli et terræ*.

the time of Gregory VII. even to the end of the year 1800, the doctrine, sometimes public, sometimes secret, but always invariable, of the court of Rome. —It is true that most of the pontiffs of the two last centuries have lacked the necessary energy to profess aloud such principles; sometimes even difficult conjunctions, produced by their unskilfulness, have compelled them to pay humiliating homage to the secular authority: but, in yielding to the force of circumstances, they console themselves for it by clandestine protests, which are at once monuments of obstinacy, prevarication and weakness.

We know the treaty concluded at Pisa, the 12th of February 1664, between Alexander VII. and Louis XIV..... We know that the pope disavowed in it, and condemned as *atrocious and detestable*, the outrage committed at Rome, the 20th of August 1662, against the ambassador Crequi. The third article contains, in full, the discourse which the Cardinal Chigi, nephew of the pope, was in quality of legate, to address to the Very Christian King. In this discourse, which was actually delivered, the cardinal *attests, with the most profound respect possible, the joy he has in evincing, by the most humble and most sincere proofs of his obedience, the veneration with which he and all his house are penetrated, for the glorious name of his majesty; the reverence and devotion that all his family profess, and shall ever have the desire and the ambition to*

profess, towards the king. “If we had had,” he adds, “the least share in the outrage of the 20th of August, we would judge ourselves unworthy of “pardon.” He ends by *supplicating the king, to believe that all these words and all these sentiments are very sincere.*

We shall judge of this *sincerity* in reading the protestation which, after having signed this treaty and this discourse, the Very Holy Father wrote, with his own hand, and deposited in the archives of the Castle of St. Angelo.

(1) “After the accident which happened at Rome, the 20th of August 1662, between the servants of the duke de Crequi, ambassador of the king of France, and our guard of Corsican soldiers; in place of punishing the said servants, and the ambassador himself, who had become an accomplice in the most enormous crimes and outrages committed some weeks previously in this city, as appears from the proceedings taken, and complaints lodged, by our nuncio at Paris; and, in place of punishing the said domestics for new insults offered by them to the soldiers of the patrol, whom they have disarmed and maltreated, as well as for the injuries and provocations to the Corsican soldiers, while attending peaceably to their duty, His Very Christian Majesty

(1) See Appendix M.

has not chosen to take into consideration the extremity to which the said Corsicans were driven, who, assaulted in their barracks, the 20th of August, repulsed and pursued the assailants into the palace of the ambassador, and exceeded the bounds of legitimate defence; for this cause his Very Christian Majesty has driven from Paris, and from the kingdom of France, our apostolic nuncio; and has besides presumed to exact from us excessive and unbecoming satisfaction, has refused audience to whosoever was desirous on our part to inform him of the truth of the affair, and refused, nay returned, our letters and our briefs. Furthermore, passing to other claims, altogether unconnected with this affair, his Majesty has proposed to us, first, to satisfy the duke of Modena, who reclaims certain vallies of Comaccho, and whose pretensions are pending before an assembly which, even as the duke himself requested, ought to examine them, and which has not deferred to take cognizance of them, but through the fault of the duke himself, who to this day has not produced any justificative document; secondly, to put the duke of Parma in possession of the duchy of Castro and the territory of Ronciglione, to grant him a second delay of eight years to discharge his engagement, and the convenience to do so in many payments, without having any regard, either for the contract of sale entered into between him and our apostolic chamber, under date of the 19th of December 1649,

and ratified the 10th of January, 1651, after the king of Spain and the grand duke of Tuscany had employed their mediation in order that our said chamber might grant him the liberty of paying, after a delay of eight years, as is fully explained in said contract ; or, to the confiscation of said duchy and territory, pronounced by the advice of all the cardinals present, after the expiration of the said term of eight years, and of the three succeeding years also, with declaration that the said territory and duchy are contained in the bull of Pius V. and those of Innocent IX. and Clement VIII. our predecessors “ de non infeudandis.” By the medium of his ambassador, his very Christian Majesty has menaced in case he did not procure the preceding articles, to invade hostilely our ecclesiastical territories, to send into them twelve thousand infantry and six thousand horsemen : and, in fact, has seized upon the city and territory of Avignon, and the earldom of Venaissin, and their dependencies ; all which territories have belonged, for many centuries, to the Holy See, as well in spirituals as in temporals ; and this inroad, executed in contempt of the Apostolic See, is an outrage so much more great, as it has excited the people to rebellion, expelled violently or imprisoned our officers, and destroyed the coats of arms and the appendages of the Roman Church. In fine, his majesty, threatening us with all the development of his power, has declared that he would come

at the head of twenty thousand infantry and ten thousand cavalry to invade our States ; and that he would repair in person to Lyons and Pignerol, to accelerate the triumph of his arms against us ; which he has already commenced the execution of, first, by the entrance of about seven thousand infantry and above three thousand cavalry into the territories of Parma and Placentia, which are held of the Holy Church, then, by the position of this army in the state of Modena, immediately opposite the frontiers of our own states, and finally, by the perseverance with which new troops are continually forwarded from France to Italy. We, in order to prevent the designs of his Majesty, and to divert him from accomplishing his menaces, after having tried the most suitable means with him, and which best became our paternal zeal, and after having suffered ourselves even to yield to exorbitant concessions, and which were in no respect due, as is publicly known to all the world ; not perceiving his anger in anywise appeased, and finding no way of accommodation or agreement, we prepared ourselves the past year for the defence of our subjects, and we destined to this purpose the sum of two millions ; an expense which we have been at and even exceeded in the present year, hoping to obtain the assistance from the emperor which we had demanded of him, of other sovereigns, of the republic of Venice, and of all the Catholic princes and electors of the empire. But none of

them having contributed in the smallest sum to our defence, all having, in excuse, alleged difficulties of various kinds, having even continued to press us, in order to obtain from us all the satisfaction required however exorbitant, and especially a sum of money for the duke of Modena, and for the duke of Parma the full possession of the territories of Castro and Ronciglione ; the governor of Milan having also granted a passage to the French troops proceeding to attack us, and having refused it to those we had levied in Switzerland for our defence ; the Venetians having supplied the said invading army with munitions of war and provisions, as have also done, in its passage, the Genoese and the duke of Savoy ; and as France expects the same from the dukes of Tuscany and of Mantua ; finally, the dukes of Parma and of Modena having made extensive levies of soldiers : we have communicated all the circumstances to the sacred college of our cardinals, who, foreseeing and dreading an approaching invasion, and the injury the Holy See must sustain in spirituals as well as in temporals, if this war were once kindled, and aware that the temporal arms of the Holy See are not adequate to prevent or to avoid these evils, persuaded that, in this urgent case of extreme, evident, and fatal necessity, the constitutions and decretals of Pius V. of Clement VIII. and other sovereign pontiffs our predecessors, are not obligatory, any more than those we ourselves

have promulgated to confirm them, in what respects Castro and Ronciglione, have judged expedient to satisfy the duke of Modena, and to promise to the duke of Parma, the taking off the sequestration, granting him a new term to release himself from it, and the liberty to do it in one or many payments. Thus we have found ourselves necessitated to announce this determination to the ambassadors of the princes who are on terms with the king of France, and afterwards to send Monsieur Rasponi to Pisa, where his very Christian Majesty has given us to understand, by the intermedial of the grand duke of Tuscany and the cardinal dean, that he had conveyed full powers to M. de Purlmont, auditor of the Rotu, powers which were to be in force till the 15th of February of the present month, to conclude between us any agreement, and not longer : for to the many other concessions he has exacted, the king of France has yet added the prescribing of this delay.

“ But, in order that it may be manifest to our successors and to posterity, that we have been constrained to these concessions by force, by violence, just apprehension from the arms of his very Christian Majesty, and by the rigorous necessity of preventing greater evils which a war in Italy would produce, undertaken by so powerful a hand against the Apostolic See, abandoned by all the Catholic Princes that were required to succour it ; when, besides, the Turk, not content with having landed in

Candia, menaced all the other isles of the Venetian inheritance, Dalmatia, and Friuli, and having already occupied a great part of the kingdom of Hungary, prepared to open with a formidable force a new campaign :

“ In these circumstances, and from these motives, of our proper motion, with our perfect knowledge and full power, we protest before the blessed God, before the glorious apostles Peter and Paul, that we have neither approved, done, or ordered, neither mean to approve, do, or order, any of the above-mentioned acts, nor any of the various concessions said to have been conceded, especially those which concern the affair of the Corsicans, any more than those which have been demanded for the duke of Modena, or those which relate to the duchy of Castro, the territory of Ronciglione, and their dependencies ; we declare, that the said acts and concessions are by no means the result of our free will, but truly, of irresistible force, of open violence, and of the necessity of evading and of remedying the very great injuries and sufferings, that a war kindled by France in Italy would produce to religion, to the Holy See, to its states, its subjects and its vassals, at the same time that the Turk, employing all his power and having already invaded so many places, extending his menaces still farther, prepared to attack the church ; the Turk, against whom we have these three years past promised to

confederate, without having yet reaped the least fruit of the efforts which we have made to draw into this league the catholic princes.

“ We declare, in consequence, that the above-mentioned things, and in particular the said removal of sequestration, and concession of a new term, with all that has been either expressed or done, and all we shall be under a necessity to do, or command to be done, in this respect, must be attributed to the said force, violence and compulsion, to which we alone could not offer resistance, and by no means whatever to any inclination properly our own, nor to any consent given by us, since, on the contrary, we are opposed to each of the said things, and especially to that which relates to the said removal of sequestration, and to all the acts done or to be done, antecedent or consequent, which are there specified. Furthermore we admit from this time, the protestations and declarations made and to be made, in whatsoever form they be, by every person, especially ecclesiastical, on the nullity and inconsistency of concessions so made, both the said removal of sequestration and all that relates to it, whether preceding or consecutive : in such sort, that all the said acts may be abrogated, as well by legal and judicial means as by every other which may at any time, in any manner, and in any place, suit us, our holy see, and our apostolic chamber ; desiring that our present protestations may be considered as made and re-

peated, previous to, at the commencement, in the middle, and at the end of all the said acts, as well of those which have been done as of those which shall be done; ordaining, that the present protestations and declarations by us written, be valid, that they may have their true, full and total effect, and may have full force, although they be not enregistered in the public acts, nor in the books of our apostolic chamber, nor elsewhere, and although the authority of the judge be not stamped thereon. We decree, and desire, that the present may give full evidence of our true will at all times, in all places, and on all occasions beneficial to the Holy See and the apostolic chamber; supplying from the plenitude of our power every defect which any person may lay hold of, or desire to lay hold of herein; notwithstanding the usages, formulas, laws, decrees, apostolic constitutions, statutes, customs, or other dispositions or institutions whatever, which tend or might tend to a contrary end; all and every of which, having here sufficiently indicated their object and circumstances, we degrade in every allowable manner, and in the best form which the thing admits, even in the cases wherein the said laws and determinations should have been specially and individually mentioned.

“ Given in our palace of Monte-Cavallo, the 18th day of February of the year one thousand six hun-

dred and sixty-four, and by the divine mercy the ninth of our pontificate.

ALEXANDER VII. POPE,
with our proper hand."

Almost all the acts of the Court of Rome against the Four Articles of 1682 have been made public ; they prove that, even to the close of the 17th century, the popes had not despaired of recovering their power over the temporal affairs of kings. Ranucci, bishop of Fanno, nuncio in France, received in 1683 ample instructions, of which here are some extracts :

(1) " One of the incidents, the most dangerous and the most important, the immediate subject of the present disputes, is the sacrilegious publication of four propositions professed by the last assembly of the French clergy, without authority as without reason, by the influence of the court, which the clergy blushed not blindly to serve on this occasion, and whose intention it was to intimidate his Holiness and divert him from the principal affair, which was that of the ' Regale.*' This is clearly to be seen in reflecting that for many years past, in all the differences between France and the Holy See, such propositions were always brought forward by means of

(1) See Appendix N.

* A right belonging to the French kings.

the Sorbonne, in hopes that, by menacing the popes with declaring their judgments in matters of faith open to reformation, subjecting their authority to that of general councils, and denying them all jurisdiction, even indirect, over the temporal affairs of princes, they could succeed in terrifying them and subjecting them to the will of the French Court, and dispose them to grant it the most unjust concessions. But this doctrine, received by the Richerists, a faction which is not yet extinct, and which made a great noise in the Sorbonne in the commencement of this century, this rash and impious doctrine, the French have never been able to establish on any solid foundation, &c.

“ From the time of the civil wars in France, which ended by the conversion of king Henry IV. to the catholic faith, was seen spring up, extend and strengthen itself among the people, an opinion insinuated by politic and designing men, which consists in considering the authority of the Holy See over the temporal affairs of princes as a doctrine too odious to heretics, consequently as an obstacle to their re-union with the church, and an abuse dangerous to religion, &c.

“ Many years passed away before this subject was publicly debated, until the publication of the famous book of the Jesuit Santarelli. In 1626 the Sorbonne brought the question upon the ‘ tapis,’ censuring in this book the doctrines which attribu-

ted to the popes any authority over the temporals of princes. This resolution of the Sorbonne was the fruit of the artifices of some powerful and politic men, rather than an emanation from that liberty which ought to reign in every christian assembly, and especially in those which are composed of theologians and priests."

A letter in cipher, addressed to the same nuncio Ranucci, and relative to a cardinal that Louis XIV. had exiled, merits also some attention.

(1) " Our Lord, the pope, never had an intention of contesting with the very Christian King, the right of removing from his service those ministers and officers with whom his Majesty may be dissatisfied: but he has simply believed that he could not send into exile an ecclesiastic, and, with much more reason, a cardinal. His Holiness is induced so to think from no personal consideration for the cardinal Bouillon who has employed no means to obtain the least assistance from Rome, and of whom his Holiness has had no reason to boast himself; but he respects here justice, and those motions of zeal which he ought to entertain for the immunities of persons and things sacred. Ecclesiastics may be born subjects of the king, but, as soon as they are promoted to one of the orders of the church, they become

(1) See Appendix O.

exempt from all laical jurisdiction, and henceforward are subjects of the Holy See and of the Church, alone. Thus the doctrine on this point, professed by father La Chaise and M. de Croissy, is condemned as erroneous by his Holiness, who wishes that you may speak to the king on the subject, in the terms already prescribed, saying to him, that his Holiness, as much from the tender and paternal affection he bears his sacred person, as to fulfil an indispensable obligation, thinks it his duty to warn his majesty of things which place in peril his eternal salvation, &c."

These last lines give room to believe, that the court of Rome already foresaw the future decline of the moral and intellectual faculties of Louis XIV. In 1693, she succeeded in terrifying him sufficiently to obtain from him the following letter :

"(1) Most holy father, I have always hoped much from the exaltation of your holiness to the pontificate, for the advantages of the church and the advancement of our holy religion. I now experience the effects of it with much joy, in all that which your blessedness does of great and of useful for one and the other. It redoubles my filial respect towards your holiness ; and while I seek to make it known to you, by the strongest proof in my power to give, I am also much gratified in informing your holiness that I

(1) See Appendix P.

have given the necessary orders, to the end, that the matter contained in my edict of the 2d of March 1682, touching the declarations made by the French clergy, to which part conjunctures compelled me, be not observed, desiring that, not your holiness alone be informed of my sentiments, but that all the world may know, by a special mark, the veneration I have for your great and holy qualities ; I doubt not that your blessedness will acknowledge it by every proof and demonstration of your paternal affection towards me ; and I pray God in the mean time that he preserve your Holiness many years, and as happy as wishes,

Most holy father,

Your very devoted son,

“ LOUIS.”

Versailles the 14th of Sept. 1693.

Louis not only wrote with his own hand this ignominious epistle, but he exacted of many bishops, till then adherents to the four articles, that they should address to the pope a letter conceived in the following terms :

(1) “ Most holy father, when the happy church delivers itself up to joy, when all Christians reap the immense fruits of your paternal cares, and find in

(1) See Appendix. Q.

your bosom, as in that of a tender father, the sweetest asylum, nothing can be more painful to me than to behold myself excluded from the good graces of your holiness, by the present posture of affairs. Well knowing that I experience this misfortune because I assisted in 1682 in the assembly of the French clergy, I cast myself at the feet of your Holiness, confessing and declaring, that my very heart is sensibly affected beyond what words can express, for those matters which passed here in the said assembly, and which have sovereignly displeased your Holiness and your predecessors. In consequence I regard as not decreed, and I declare that so it should be regarded, all that may have been reputed decreed, in this same assembly, against the ecclesiastical power and the pontifical authority.—Further, I hold as not considered what may have been reputed considered, in prejudice of the rights of the churches, my intention never having been to decree or to do any thing prejudicial to the said churches. In offering to your Holiness this pledge of my absolute devotion and of my profound respect, I desire that neither the obedience which I owe, and which I shall be careful to render to the last moment of my life, nor my zeal to defend the rights of the churches, may ever be called in question. I therefore hope, that after having read the present letter, your Holiness will condescend, as I most humbly supplicate of you, to restore me your good graces

and benevolence, and give me charge of the church of- ———, to which I have been named by our very Christian King, in order that I may consecrate all my cares, even as I sincerely promise to your Holiness to do, to the salvation of souls, to the interests of the Christian religion, and to the rights and dignity of this same church of ———, In the mean time I promise anew, and swear to your Holiness, as to the successor of the prince of the Apostles, as to the vicar of our Lord Jesus Christ, as to the chief of all the militant church, the true and sincere obedience which I have already promised ; wishing for the good of all the church, long and happy years to your Holiness, of whom I am the very humble, very obedient and very devoted son and servant."

Emboldened by such success, the court of Rome no longer kept any measure : in 1694, the Dominican Roccaberti treated as heretics those who denied the infallibility of the pope, as impious and schismatics those who denied to the sovereign pontiff the power to spoil kings of their dominions. The theologians, who approved the book of Roccaberti, ventured to declare ' that the pope was the king of kings, the lord of lords, absolute, and without restriction, and that he possessed, in spirituals and temporals, a power which the heretics endeavoured in vain to ravish from him.' "The French,"

add these theologians, “ oppose to us privileges and
 “ liberties ; but these pretended privileges are but
 “ iniquities (non privilegia, sed pravilegia). What-
 “ ever existed of jurisdiction, of graces, of liberty, in
 “ the patriarchs, in primates, in princes, in emperors,
 “ they borrowed it, they begged it (emendicant) of
 “ the sovereign pontiff ; they hold it of his revo-
 “ cable word. He can revoke, break, abrogate at
 “ his will, all or each one of the liberties and privi-
 “ leges of the clergy of France, of the people and of
 “ the king.”

Bossuet has left us an excellent memoir against the work of Rocaberti, and especially against his approvers.

Assuredly Gregory VII. in the eleventh century, had said nothing more than the court of Rome caused to be taught at the end of the seventeenth ; and, when the maxims of Hildebrand are thus renewed, extended and applied, it is not surprizing that in 1729 they have purposed canonizing anew this founder of the theocratic system.

A double feast was therefore instituted in honor of Saint Gregory VII. pope and confessor ; and we are about to read the prayer and the legends which, the 25th of May of each year, are to retrace for us his virtues, and recommend the imitation of them.

(1) “ *Prayer.* God, who fortifiest those who

(1) Appendix R.

trust in thee, thou who hast endowed the blessed Gregory, thy confessor and thy pontiff, with the courage and the constancy necessary to defend the liberty of the church; cause that after his example and by his intercession we may combat with a victorious intrepidity all that is opposed to us. (Par N. S. J. C.) For J. C. our Lord's sake."

(1) "*In the second Nocturnal, lesson iv.*—Gregory VII. pope, formerly named Hildebrand, born at Soane in Etruria, one of the most distinguished men, by his knowledge, his holiness, by all sorts of virtues, has wonderfully adorned the church of God. They relate that being still an infant and not knowing how to read, one day that he played in the shop of a joiner, he collected pieces of wood, formed letters of them, and so disposed them that they composed this oracle of David: He shall rule from one sea to the other. God conducted the hand of the child,⁽²⁾ and thus announced the immense authority that Gregory was to exercise in the world. Afterwards he proceeded to Rome, and was there brought up under the protection of Saint Peter. Profoundly afflicted, from his youth up to see the liberty of the church oppressed by the laity, and the depraved manners of the clergy, he took the

(1) Appendix S.

(2) Is it not a mockery of God and men to insert in the Divine Offices such puerile fables? The popes of the latter ages have made a farce of the whole Roman liturgy, in the hope of prolonging and increasing the ignorance of both the people and their pastors.

monastic habit in the abbey of Cluni, where, under the rule of St. Benedict, at that time reigned the most austere discipline; he there served God with a piety so fervent, that the holy fathers of this monastery elected him their prior. But the Divine Providence destining him to higher functions, and to become the instrument of salvation to a much greater number of men, Hildebrand left Cluni, and was, at first, elected abbot of the monastery of Saint Paul, outside the walls of Rome, then created cardinal of the Roman Church. He was seen, under the sovereign pontiffs Leo IX. Victor II. Stephen IX. Nicholas II. and Alexander II. to acquit himself of important duties attached to eminent dignities: the blessed Peter Damien has praised him as a man whose counsels were holy and pure. Sent into France by Victor II. with the quality of legate 'a latere,' he found at Lyons a bishop tainted with the Simoniacal leprosy, and compelled him by a miracle to confess his crime. In a council of Tours, he constrained Berengarius repeatedly to abjure heresy; he extinguished also, by his virtue, the schism of Cadaloo.

“ Lesson V. Alexander II. being dead, Hildebrand was, against his wish, and to his great displeasure, elected by a unanimous voice, sovereign pontiff, and blazed in the house of God like a sun: for powerful in his works and in his words, he applied himself with so much zeal to restore the ecclesiastical discipline, to propagate the faith, to give

liberty to the church, to extirpate errors and abuses, that, since the time of the apostles, there is no memory of any pontiff who has laboured more, or suffered more for the church of God, or combated more strongly for its liberty. He delivered some provinces from the scourge of simony. We have seen him oppose, to the impious efforts of the emperor Henry, the strength and perseverance of an intrepid wrestler, raise himself as a bulwark for the defence of the house of Israel, plunge this same Henry into the abyss of misfortune, cut him off from the communion of the faithful, deprive him of his kingdom, and absolve his subjects, his people, from the faith which they had pledged to him.

“ *Lesson VI.* While he celebrated Mass, some pious assistants perceived a dove, which came from heaven, and fixing itself on his right shoulder, extended its wings and veiled the head of the holy pontiff with them, to signify that he was directed in his mode of governing the church, not by the motives of human prudence, but by the inspiration of the Holy Spirit. Closely besieged at Rome by the army of the iniquitous Henry, he extinguished by a sign of the cross a fire which the enemy had kindled. Released finally from the hands of the emperor by Robert Guiscard, chief of the Normans, he retired to Monte Cassino, and from thence to Salerno, to perform the dedication of a church to Saint Matthew the Apostle. After having preached a sermon to the in-

habitants of Salerno, worn out with griefs, he fell sick, and he knew before-hand that he would not recover. The last words of Gregory, expiring, were these: "I have loved justice and hated iniquity, behold wherefore I die in exile!" We cannot enumerate either the enterprizes which he courageously sustained, or the wise laws which emanated from the councils assembled by him in the city of Rome: he was a personage truly holy, the implacable enemy of crime, and a very zealous defender of the church. After filling for twelve years the pontificate, he quitted earth for heaven, the year of the incarnation 1085: many miracles have adorned his life, many prodigies have attended his death: his sacred body has been honorably interred in the cathedral of Salerno."

The piece which we are about to transcribe had till the present time remained secret: it is a discourse in which Clement XIII. condemns and annuls, in 1762, the decrees passed by the parliament of France against the Jesuits.

(1) "Venerable brethren, although even now all Christendom knows, that in the bosom of the very flourishing kingdom of France, which we bear in the bowels of our paternal charity, there is introduced in sacred and ecclesiastical things a disorder,

(1) See Appendix M.

the progress of which condemns to the bitterest grief, to sighs and to tears, all those who, having preserved a sound heart, have seen the lay magistracy lay hands on the ark of the Lord ; nevertheless, the events which have occurred, giving place to new complaints, we have thought it our duty, venerable brethren, to inform you of it in this place, not only, that in sharing our griefs with you we may excite you to join your prayers to ours, but, further, in order to break and annul expressly, however desperate our case may be, each of those acts which, having emanated from the incompetent authority of these magistrates, are wicked attempts against the divine honour, deep wounds to the universal church, and scandalous outrages to the rights and majesty of the apostolic see. From the day that France beheld this flame kindled, and this violent storm gather from all sides against the ‘ Society of Jesus,’ we have been cruelly afflicted with the multitude of decrees, or, as they term them ‘ public arrets’ whether in the capital of this kingdom or elsewhere, now of one parliament and again of another, all of which preserve an ancient hatred to this society, and seize, for its destruction, the opportunity of the present war, and the embarrassments prolonged with it. But that which above all afflicts our heart is, to perceive the imminent danger with which these machinations menace the honour of the altars,

the interests of the whole church, and those of the Holy See.

“ We at first raised our eyes towards the mountain from whence the church might expect a timely succour ; and just motives have determined us to place our courage in silence and in hope. Afterwards, not to appear wanting to the apostolic functions which heaven has confided to us, we have once and again at several opportunities implored the authority of the Most Christian King, our very dear son in Christ Jesus, implored him by his respect for his ancestors, who on so many occasions merited well of the Catholic Religion and of the Holy See, and conjured him to repress the license of the parliaments. Furthermore, in order to accomplish more fully the duties which the pastoral love and solicitude prescribe us, we have, through our venerable brother, Peter bishop of Colosse, our nuncio, and nuncio of the apostolic see in France, invoked the concurrence of those who enjoy near the Most Christian King the most eminent dignities and most powerful credit. We conceived a secret hope of the cure of the evil, when our looks were fixed upon our venerable brothers, the bishops of the Gallican Church, inflamed with so pure a zeal for the defence of the divine honour : we knew that using a short time past the privilege which they have received from God in their episcopal consecration, and taking the armour of justice, which consists of the divine

word, they have challenged and solicited from the most pious monarch, the means of repelling the outrages with which the said magistrates endeavour to overwhelm the divine and ecclesiastical institutions, and that, in the midst of the troubles excited against the Society of Jesus, many of these prelates, required by the king to express their sentiments of the members who compose it, have exculpated them from all the reproaches made to their morals and to their doctrines.

“ However, though we cannot doubt the heart of the king has not ceased to preserve a firm and noble desire to protect religion and to establish peace, God has permitted that no way has been discovered to arrest, in the midst of these troubles and the heat of these quarrels, the progress of the evil, become from day to day more and more rapid.

“ We cannot then, venerable brothers, describe to you adequately with what poignant grief we have been penetrated, and what horror has seized us, when we have, placed beneath our eyes, the decrees of these same parliaments, decrees first published in one place, then in another, and when we have seen enter into the sanctuary of the Lord those gentiles whom the Lord had forbidden to place a foot in his church.

“ In fine, what are the limits fixed by the Eternal, which, in the midst of these confused troubles, have not been overleaped by these carnal children of the

age ! They usurp the doctrinal instruction which had been confided to the pastors of Israel alone, to the vigilant guardians of the flock ; they usurp it in contempt of this divine oracle : “ *The lips of the priest shall preserve knowledge ; and it is from his mouth that the people shall hear the law.* ” They calumniate, they reprobate the institution of the clerks regular of the Society of Jesus ; a pious institution, serviceable to the church, long approved of by the Apostolic See, and which has obtained from the Council of Trent and from the Roman pontiffs, unperishing praises : an institution whose founder is honoured among the habitants of Heaven, and to which have belonged upon earth persons rendered illustrious by the honours of a like canonization, or by so many labours for the catholicity and for the salvation of their brethren, that the church and this sacred college deem themselves honoured in them. They pour out opprobrium on the order of this meritorious body ; they represent it as opposed to human and divine laws ; they proscribe it and condemn it to the flames. In fine, it is frightful to say it, the members of this society, who have taken a vow to follow such order, and who, prostrate at the foot of the altars, have, under the pledge of the most solemn oaths, supplicated the Almighty to be the witness and surety of their promise, are now dispensed from it ; and, by an execrable endeavour, till this day without example, it is forbidden them, under the se-

verest penalties, to accomplish the vows, which their lips have pronounced, and the Eternal has received. They are obliged, on the contrary, to abjure this order, which the magistrates have declared irreconcilable with human and divine right. What further shall I say to you? Arrogating to themselves, with the most culpable rashness, a power which belongs but to the Vicar of Christ upon earth, seculars break the bands of the Society of Jesus in the kingdom of France. They set its possessions up to sale, in spite of ecclesiastical immunities : its pupils are obliged to embrace another line of life, proposed to them by a lay magistrate ; are stripped of their habits, deprived of their name, and interdicted intercourse with their fellow members : they lose all the hope of obtaining an ecclesiastical benefice, or a temporal employment, if, among other engagements, they do not swear to support and defend the ‘ Four Propositions,’ too famous and too generally published, which are contained in the declaration respecting the ecclesiastical power, published in the assembly of the French clergy in the year 1682 ; propositions which our predecessor Alexander VIII. of glorious memory, has condemned and annulled by his letters expedited in form of brief.

“ So many severe blows, so many wounds with which they have afflicted the Catholic Church and the Apostolic Power, keep us plunged day and night in the bitterest affliction : we lament for the unbri-

dled arrogance of the magistrates, who overturn and dispose of, after their own inclination, the ecclesiastical laws, and who wish, as St. Augustine expresses it, to elevate the water over the oil, to put light under the darkness, to place the Earth above the Heavens. But is this tribulation, the excess of which consumes us, but a passive grief, but a useless torpor ? Beware of thinking so.

“ Avengers and protectors of ecclesiastical rights, established as such by the Lord, we know that speedily we shall render a rigorous account of our administration. In yielding ourselves up to indolence, we should have to fear, that at the day of judgment, a day so terrible to those who command, our unfaithfulness might be cast in our teeth, with the sentence of the prophet : *You have not dared to venture to the assault, you have not opposed yourselves as a wall for the house of Israel*; or this sentence more terrible still : *My flocks are dispersed, and no man offers to go in search of them.*

At first, by our sobs and our tears, we implored the God who is seated upon the throne, and judges righteously ; next, mounted on this seat we have called your venerable brethren, in order that, placed in your presence and, as it were, surrounded with auxiliary warriors, using the Power which God has given us, we may abolish and annihilate all the illegal acts which they have attempted. Walking, therefore, in the footsteps of our predecessors, and imita-

ting their example, we condemn and reject all that the said magistrates have done against religion, against the universal church, against the apostolic see, and against the constitutions of the pontiffs.—

Furthermore, including in our present sentence, all the orders, arrests, decrees, declarations and edicts, published by the laical power in France, in any manner or place whatsoever, designed for the extinction and dissolution of the society of Jesus, whatever may be the number and particular character of the said acts, having emanated from an incompetent authority, and relating in any way whatever to the order, the persons, the prerogatives, or immunities of the said regular clergy; acts, invasive of the most sacred rights of the universal church and of the apostolic see, and prejudicial to the ecclesiastical immunities and privileges of ecclesiastics; joining with said acts all and every one of those which may follow, in whatever form, time, or place it may be, as well as all those which may emanate from the other parliaments of France, and which may tend to the same end; we declare, that all the said acts have been, from their origin, null, vain, invalid, and incapable of any legitimate effect; so let them rest for ever, and let no person be held to conform to them, even though obliged to do so by oath; we ordain it so to be, by virtue of this our present solemn and consistorial decree; and of our own motion, of our perfect knowledge, and full power,

we break, suppress, annul, reject, and abolish, all and every of the said acts; we protest before God their manifest nullity, reserving to ourselves to render a more ample account of this suppression, breaking, annulling, and abolishing, at such time as we shall be assured of power to do so usefully and profitably in the Lord.

“ Behold, venerable brothers! the declarations which we had to make to you, in order to fulfil the duty of our pastoral office, and to the end we may not be judged severely by the Lord, whose day approaches. In the mean time, let us pray together to the Almighty God and to the blessed Apostles Peter and Paul, who behold the tears of the priesthood and of the empire; let us supplicate them, conjure them to inspire men with wiser resolutions, in such sort, that this storm may finally be appeased, that this irritated sea may become calm, that it may deposit the dregs of its unstable motions, and that the church may recover the tranquillity which she desires.

“ We attest that the present allocation has been pronounced by us, in our secret consistory, held the 3d of Sept. of the year 1764.

Signed,

CLEMENT XIII. POPE.”

We may remark in this piece the expression of the implacable hatred which the court of Rome pre-

served against the maxims of the French Church declared in 1682. The same feeling appears in many of the acts of Pius the VI. and especially in the bull ‘*Auctorem fidei*,’ published in 1794. This bull condemns many decrees of the council held at Pistoia in 1786 ; but the only point which interests us is that which concerns the Four Articles. Pius VI. speaks of them in these terms :

(1) “ We must not pass in silence the famous and fraudulent rashness of the synod of Pistoia, which has dared, not only to speak with eulogy of the declaration of the French clergy in 1682, long since censured by the Holy See, but, also, undertaken to invest it with greater authority, by insidiously introducing it into a decree *de fide*, openly adopting the articles it contains, and sealing, by a public and solemn profession of these articles, the principles scattered through this same decree. Whence it follows, first that we have grounds to form against the said synod complaints, much more serious than those of our predecessors against the assembly of 1682 ; and we may add, that this synod outrages also the Church of France, when it deems it worthy of being invoked as the patron of the errors with which this decree is infected.

“ In consequence our venerable predecessors, Innocent XI. by his brief of the 11th of April, 1682, and after him, more formally still, Alex-

(1) See Appendix. T.

ander VIII. by the bull 'Inter multiplices,' dated the 4th of August 1690, having, in fulfilment of their apostolic duties, disowned, abrogated, and declared null and without effect the said acts of the assembly of the clergy of France; the pastoral solicitude exacts of us with much stronger reasons, that the adoption, so vicious in every respect, which has been recently made of these acts in the council of Pistoia, be by us condemned and reprobated, as rash, as scandalous, and, after the decrees which have emanated from our predecessors, as extremely injurious to the Holy See; so that in effect we reprobate and condemn it by our present decree, and we ordain it to be held as reprobate and condemned."

To shew that in 1805 the court of Rome still renewed her anathemas against the articles of 1682, we should have to cite the discourse delivered by pope Pius VII. on his return from Paris. Not that there is any express mention made of these articles in it; but the bull 'Auctorem fidei,' which condemns them, is there formally confirmed. It was thus that, immediately after the coronation of the Emperor of the French, they endeavoured to bring into contempt, without naming it, the declaration which most honors the clergy of France. But as we mean to make, in the latter part of this volume, a particular exposition of the conduct of, pope Pius VII. we will here ter-

minate the history of the obstinate efforts of his predecessors, to maintain, propagate, and develope, the theocratic doctrine of Gregory VII.

It appears to us that from the pieces we have collected it clearly results, that from the time of Hildebrand to the commencement of the nineteenth century, the popes have not ceased to pretend themselves invested with a power, superior not only to that of councils in religious matters, but also to that of kings and of emperors in political affairs. These intolerable pretensions, and the scandalous impostures which serve to sustain them, have cut off from the Catholic Church the greatest part of Christendom. We are now going to examine how far in France they knew in what manner to reconcile with the respect due to mysteries and dogmas, an energetic resistance to pontifical ambition.

EXPOSITION OF THE MAXIMS OF THE GALLICAN CHURCH.

FROM THE TIME OF ST. LOUIS TO OUR OWN TIMES.

THE Maxims of the Gallican Church are without doubt much more ancient than St. Louis, as they really are but the primitive laws of the universal church. They express the doctrine and the practice of the ages anterior to the introduction of the false decretals. These maxims do not belong to France, but inasmuch as they have been preserved in France more faithfully than elsewhere. Every time that Rome has forgotten or opposed them, France has asserted them. In the ninth century, French bishops opposed them to Gregory IV. when this pontiff hurried from Italy to trouble the kingdom, and second the rebellion, of the son of Louis I. Hincmar professed them under Charles the Bald, and repressed by their authority the ambition of Adrian II. and of John VIII. ⁽¹⁾ At the end of the tenth century, they

(1) *Neque edictis tuis stamus, neque tuas bullas tonitru-
aque timemus. Tu eos qui decretis tuis non parent impietatis
condemnas. Nos tuo te ense jugulamus, qui edictum Dei
nostri conspuit, concordiam discendis, &c.*

were energetically opposed to John XV. by Hugh Capet and the French prelates, one of whom afterwards became pope. In the following century, they almost rendered inefficacious the anathemas which the popes, Gregory VII. and Urban II. launched against Philip I. Finally, in the twelfth and thirteenth centuries, they defended Philip Augustus when menaced by a Clement, a Celestine, and by the redoubtable Innocent III. But St. Louis, in order the better to insure the authority of these venerable maxims, has recorded them in a solemn law which bears the name of the ‘*Pragmatic Sanction*.’

“ St. Louis, says Mezerai, made the ecclesiastical discipline be rigorously maintained, and shewed by example, and commanded by edicts, an excellent and holy life to the ministers of religion; and because he well knew that nothing corrupts them so much as to mix too freely in secular affairs, and trespass on the rights of others, on this account he judged it proper to bridle this too great license. Have we not from him this ordonnance, which some name the ‘first pragmatic’ against the attempts of the Court of Rome ?” (1)

The editor of the ‘*Proofs of the Liberties of the Gallican Church*,’ makes the following observations on the pragmatic sanction of Louis IX :

“ This ordonnance is found complete in the ancient

(1) See Appendix V.

“ registers, and is printed in the very old records of
 “ the Parliament of the year 1515, and even in a
 “ book of M. Helie de Bourdeille, archbishop of
 “ Tours, and afterwards cardinal, entitled ‘*Defen-*
 “ *sorium Concordatorum*,’ printed at Toulouse in the
 “ year 1518. Nicholas Gilles, who lived in the
 “ reign of Charles VIII. has inserted the principal
 “ points of it in his history; the estates held at
 “ Tours, in the year 1483, in the chapter of the
 “ church, make mention of it: also the act of appeal
 “ of the university of Paris, of the year 1491, which
 “ is in the thirteenth chapter of this collection. The
 “ court of parliament, in its remonstrances made to
 “ the king, Louis XI. year 1461, art. 12. speaks
 “ thus of it: *Moreover, because in the time of Mon-*
 “ *sieur St. Louis, those of Rome began to desire the*
 “ *prevention of the elections, Monsieur St. Louis, as*
 “ *a Catholic prince, and zealous for the Christian*
 “ *religion, as protector, guardian, and defender of*
 “ *the churches of his kingdom, and, by good advice*
 “ *and counsel, published an edict and decree, and*
 “ *among other things, ordained the elections to take*
 “ *place in his said kingdom, which had heretofore*
 “ *been permitted to take place, and remedied the evil*
 “ *and inconveniences of the before-mentioned con-*
 “ *fusion his said kingdom would have incurred, if*
 “ *the right of liberty of election had not been main-*
 “ *tained and preserved.* And M. Jean Boucher, in
 “ his Annals of Aquitaine, 4th part, page 100, says:

“ St. Louis made many noble decrees, as well relative to temporal affairs as for the privileges of the church, and, among others, desired that their jurisdictions might be preserved to them ; that they might provide by canonical elections for the archbishops and bishops’ sees, and other elective ecclesiastical dignities, according to the disposition of the common law ; and prohibits the exactions of the Roman court in his kingdom.”

The authority of this document, supported by Bossuet,⁽¹⁾ has been denied by Cardinal Orsi, one of the theologians that the court of Rome employed to write against the Four Articles of 1682. A French author⁽²⁾ addressed to this Orsi the following reply :

“ The Pragmatic Sanction of St. Louis shews, with what zeal this prince defended the liberties of his kingdom against the vexations and usurpations of the court of Rome. Father Orsi, whom this piece ought to reduce to silence, boldly replies that it is the work of an impostor, and not that of the sainted king. His proofs are those we read in Charlas, which Charlas borrowed from father Thomasin, and which M. Bossuet has refuted. The proof which speaks the strongest in Orsi is, that the royal saint was ever on a good understanding with the popes, towards whom he testified on all occasions much respect. Does he then suppose one cannot, with-

(1) Defens. Cler. Gall. lib. xi. c. 9.

(2) Dissertation on the work of Cardinal Orsi, printed in the sequel of the translation of Bossuet’s work.

“out interrupting a good intelligence with the pope,
 “and without failing in respect to him, oppose with
 “modesty the arbitrary orders which they obtain
 “from him by surprize, and attempts directly
 “opposed to the sacred canons? St. Louis knew
 “how to reconcile these two things; and in the
 “first years of his reign, in 1234, he made a decree
 “to repress, by attachment of their goods, the bishops
 “who harrassed the secular judges in the exercise of
 “their functions, and had no regard to the complaints
 “made against it by Gregory IX. a very imperious
 “pope. We know that he not only refused, on behalf
 “of his brother the Count d’Artois, the imperial crown
 “which this same pope affected to take away from
 “Frederick II. but still more, detained the money
 “with which Gregory intended to make war with
 “this prince. Is it astonishing, after that, if in 1268
 “St. Louis believed it a duty to publish this prag-
 “matic sanction, especially under a pope so wise
 “and moderate as was Clement IV. a Frenchman by
 “birth, with whom I would not be at all surprized
 “if it had been concerted? However it may have
 “been, all the monuments of our history of the time
 “of St. Louis give us to understand, that this prince
 “made it a religious duty, to maintain the just liber-
 “ties of his kingdom, contained briefly in his decla-
 “ration.....I ought to observe, that Father Alex-
 “ander, a Dominican, has so solidly replied to the

"difficulties of Father Thomassin, repeated by "Charlas and by Father Orsi, that I am exonerated "from saying more on this point. If any person "desires to search it to the bottom, he can recur to "the work of this learned Dominican."⁽¹⁾

The grandson of St. Louis, Philip the Fair, had memorable disputes with Boniface VIII. and repressed with energy the ambition of this mad pontiff.⁽²⁾ An advocate of the king, giving his conclusions on the letter of Boniface 'Scire te volumus,' declared the principles which the pope professed in it to be heretical.⁽³⁾ It is not for us to decide whether or not it was heresy, but assuredly it was insanity. Further, this magistrate named De Bosco or Du Bois, supported the independence of the crown and repelled the designs of the spiritual authority. De Bosco speaks of the Donation of Constantine and never calls in question its authenticity; so much did the best intentioned minds still need information! But, in the midst of such profound ignorance, the good sense of the king's advocate is but the more remarkable: he regrets those times when the popes were poor and holy, and deplores those institutions which have made them rich, powerful, ambitious and perverse.

In spite of the enormous extent which the de-

(1) Nat. Alexandri Hist. Eccles. sect. xiii. c. 10, art. 3.

(2) See Appendix W.

(3) See Appendix X.

case of Gratian and the body of the decretals published by Gregory IX. had given to the ecclesiastical jurisdiction, the rights of the civil authority in France were maintained through the whole course of the fourteenth century. In 1350, for example, king John declared that it was not allowable to interdict any lands in his Domain ;⁽¹⁾ and, in 1385, Charles VI. acknowledged no superior on earth, denied to the spiritual authority any sort of superiority or influence over the power of the princes.⁽²⁾

A national council of France was held at Paris in 1406 : we then beheld assembled sixty-four bishops and archbishops, about one hundred and fifty abbots, and a vast number of doctors and licentiates from all the universities of the kingdom. The whole parliament, the officers of the crown, the princes of the blood, the dauphin, and the king himself, when his health allowed, assisted at it. Six theologians were directed to lay open the griefs of the nation against pope Benedict, and six others to plead for him. The cordelier Pierre-aux-Bœufs was heard first, who spoke against the pontiff, and who compared schism to a circle. " Alas ! said he, and the present schism has it not indeed the form of a circle, where one finds neither termination nor outlet ! Many have been the other schisms ; but they were only semi-circles, they were only right lines, where the end

(1) See Appendix Y.

(2) See Appendix Z.

“ was soon found and they were brought to a conclusion. But in this present schism we find neither bottom nor shore.... If the parts of the circumference touched the middle point the circle would be broken. So it seems with the two lords on whom this business depends. They dwell too much about the point of union.....What is that point of union? it is the point of concession! it is the most reasonable way and the most expedient point to arrive at a speedy union. They turn too much about this point, introducing irrelevant matter.”

The orator afterwards depicts the misfortunes which the *manœuvres* of competitors for the *papacy* draw after them, their *ambition to rule*, their insatiable *desire to possess*. “ Alas !” said he, “ what grievous tempests arise from them ; disturbance of kingdoms, ruptures of great alliances, hatreds among nations, divisions between countries, the weakening of Christianity, the strengthening of unbelievers, mocking of our faith, doubts respecting the sacraments, spoiling of poor churches, mulcting of divine service, extortion from the poor clergy, plunder of the goods of the church !....But it cannot be denied, that if the pope, by his hasty and irregular wishes, should scandalize the church, hold it in a state of disturbance, or should lead it to destruction, the prelates above-mentioned may oppose him, and constantly withstand him, and that

“ they have authority of themselves to assemble in council, in order to provide, remedy, dictate, sentence, and give decision.” In support of these maxims are here brought forward many examples, and especially that of the emperor Otho I. who assembled, in 963, a council at Rome, when John XII. was deposed.

John Petit was afterwards heard, and by these words which he took for his text, “ *Withdraw from the tabernacles of the impious, and touch not that which regards them, lest you should be implicated in their sins,*” he announced the opinion he had conceived of the two popes, and the necessity of withdrawing himself from obedience to both one and the other. It was not that he hated them ; on the contrary, he had before been prejudiced in favour of Benedict. “ I swear to you, said he, on my conscience, that “ when I heard that Peter de la Lune, who is now “ Benedict, was elected pope, I had singular joy in “ it, because I had heard him preach and approve “ the plan of concession when he was legate in “ France.” Benedict when cardinal had said “ *that “ he would prefer becoming a poor cordeliere than “ keep the church in such a schism.*” At the conclave in which he was elected another cardinal was thought of, who refused from the fear of being too weak, too proud, ‘ *to descend to concession.*’ Upon which Peter de Lune said : “ *If the case were mine I would renounce it as readily as I would deprive*

myself of my hat." The same Peter de Lune was also opposed to the election of a candidate who was a Chartreux, representing those hermits as *'at all times obstinate, and too immoveable in their opinion ; to stoop to concede !* After having related these particulars, and shewn how Benedict, by appearing disposed to concession, had caused himself to be elected, John Petit relates all the steps, all the submissions, by which prelates and princes had vainly attempted to obtain from this pontiff that renunciation which alone could give peace to the church. Those who reproached him with having changed his opinion, were charged by him with falsehood : but said the Duke de Berry, *' saving the honour of the papacy, it was he himself that lied in his throat.'* Benedict had promised to concede, he conceded not ; to convoke a council, he did not assemble one ; to ratify the elections made during the withdrawing from obedience, he presumed to annul them ; finally, to maintain the liberties of the Gallican Church, he dared to disregard them. For these four reasons, Jean Petit concluded that Benedict ought to be no longer obeyed.

This was also the conclusion of Simon de Cra-
maud, patriarch of Alexandria, afterwards cardinal. He shewed that the popes being established but for the preservation of unity, those pretended popes should be rejected who cherished division, an œcumenical council should be convoked and each particular

church be suffered to govern itself by synods and its ordinary prelates. " Have we not primates, says he, " the archbishops of Bourges, Vienne, and Lyon-sur-Rhone ? It would be more suitable, that causes " should remain in the kingdom than be removed in- " to other countries. Nevertheless I do not wish to " say any thing against the liberties and franchises of " the Church of Rome.... The dis- " pensations which are given every day, are they not " dissipations ? Will not a bishop or an archbishop " temper those dispensations better than a secretary " of the court of Rome would do ? Nei- " ther the pope nor the prelates are masters of the " church's property, they are but its defenders and " solicitors ; but the temporal lords are its true " lords... The doctors say, that contu- " macy in a sovereign bishop or pope is heresy " quite clear, as also, to hold the popedom by hypo- " crisy."

The *popedom* had for its first advocate William Fillastre, dean of Rheims, who became afterwards bishop of Mans, and cardinal. Fillastre in commen- cing his speech, promised to speak ill of *nobody, es- pecially of Madame the University* : but he ex- pressed himself on the royal authority with so much ignorance and inconsiderateness, that he was obliged to make the ' *amende honorable* ' for it. Here follow some lines of his retraction, in which we still find the stamp of the gross errors which the Court of Rome

had propagated. "Sire, I have spoken of my own
 "authority alone : since it displeases you, do with
 "me according to your pleasure. I have spoken
 "on some subjects foolishly. I do not say it by
 "any means for excuse, but to obtain your clemency.
 "Sire, I therefore throw myself on your clemency ;
 "I am a poor man, who have been brought up in the
 "country ; I am rude by nature ; I have not lived
 "with kings, nor with lords, by which I could learn the
 "manner or style of speaking in their presence. If I
 "have spoken foolishly I am very sorry for it.—
 "Sire, I know your crown is not a whit like those of
 "others. The emperor holds his empire of the pope,
 "but your kingdom is held by inheritance. I know
 "truly you do not hold the place by the authority
 "of man ; but that you are a person half spiritual
 "and half temporal. You are of the ' *regibus un-*
 "tis' ; *de quibus ' regibus unctus.*' I find three who
 "have been announced by men born ' *ex mulieribus*
 "sterilibus.' First, we find that king Saul was anoint-
 "ed by Samuel, which Samuel was announced to
 "his mother, who was reputed sterile... The
 "king of all kings was anointed by John the Bap-
 "tist. The third which we find of them, Sire, was
 "Clovis your predecessor, who was baptised by
 "Mons. St. Remy, who was the son of a sterile mo-
 "ther : and an angel from Heaven brought him the
 "unction, and so your kingdom is not like other
 "kingdoms. It is hereditary and held of no one.

"You are emperor in your kingdom, you know no sovereign on earth in temporal things."

The archbishop of Tours, another defender of the most holy father, supported very vigorously the rights of the Holy See, and employed himself in a long apology for Peter de Lune. He also asserted, that in accepting the tiara, this pontiff had the design of resigning it: "And this is," adds he, "one of the principal causes why he keeps his benefices of cardinal; in order that he should have where-with to subsist, in case he should be reduced to his first state of the cardinalat." We see that Peter de Lune was provident, but, according to his apologist, he was no less infatuated, and we may apprehend that, in withdrawing from his obedience, one should only irritate him to no purpose. "You have seen for five years that he has been in prison he has never been willing to act otherwise: do you think now he has the keys of the church he will act otherwise? I think he will not. He is from the country of downright mules, when they have taken a path, you may whip and scourge them before they can be turned from it, unless they take it into their heads."

Peter d'Ailly, bishop of Cambrai, and afterwards cardinal, pleaded the same cause with remarkable moderation. After apologizing for his 'cold' and his 'little eloquence,' he declares that he finds the 'way of cession' good and holy, and complains

only of the invectives uttered against the pope by some members of the university. "I say that it is
 "a very abominable thing that in this affair they
 "should use contumacious words, and especially
 "against the person of the pope, before he be
 "judged such as they charge him with being. I
 "have read and studied the books of the general
 "councils, which general councils have judged many
 "of the popes for various crimes and condemned
 "them; but I have not found that these contumelies
 "were among them. But these contumelies which
 "have been expressed and spoken in the defamatory
 "sermons and libels will reflect back on yourselves;
 "and for God's sake let us avoid them, and treat
 "our subject decently and calmly."

"When the error of John XXII. on the beatific
 "vision was treated of, the king of France, who was
 "at the wood of Vincennes, sent to the faculty of
 "theology, not by any means to the university, and
 "the faculty sent him twenty-six masters to Vin-
 "cennes; and the decree which they made, he
 "executed and sent to pope John XXII. that he
 "should revoke it, or that he should burn it."

From thence Peter d'Ailly concluded that they ought to deliberate in the body of doctors alone, and not in the entire university; that in the council of prelates, these matters should never be pronounced upon *in form of decision, but of advice*, for fear of occasioning a *schism in the faith* between the

council and the university. He added, that it was unnecessary to dwell solely on the mode of cession, good though it was: "Because," said he, "if our side had peradventure yielded, the other would by no means do so. It does not appear from the letters had from it by M. the duke de Berry that they possess the will....I much marvel how they dare to speak of such high matters as to say, that the pope is a heretic, a schismatic, and especially in his absence. This is an elevated subject, and cannot be treated of in the French language and before laics, and belongs not so properly to civilians as to theologians."

After these three advocates of the pope, the dean of Rheims, the archbishop of Tours, and the archbishop of Cambray, one of their adversaries was heard, to wit, Peter Regis or Le Roi, abbot of Mount St. Michael. "If there were neither pomp nor riches," said the Abbe, "the popedom had not been so much coveted....It is lawful, expedient, and proper, that the church be brought back to the law of common right in what relates to the disposition of benefices, elections, confirmations, &c.....Jesus Christ said to St. Peter, '*Feed my sheep*;' he did not say '*Take their nourishment from them*.' Every time and as far as the pope does any thing which tends not to the end for which he was appointed, he ought no longer to be obeyed, as we do not obey a judge if he does, or

“ decides any thing contrary to his authority.—
 “ The words of Jesus Christ, ‘ *that which you shall*
 “ *bind on earth,*’ are conditional, that is, if the pope
 “ act according to his power ; it is necessary the
 “ pope should found what he does in reason, other-
 “ wise what he does is null. To be able to do evil
 “ is not authority.... . We ought to resist the
 “ commandments of the pope, when they give occa-
 “ sion for schism, though the commands themselves
 “ be lawful, for this reason, that his power is estab-
 “ lished to preserve the unity of the church and not
 “ to disturb it A prelate ought not to pro-
 “ mote to a benefice save him who is competent, in
 “ knowledge, in morals, and in years. Sometimes a
 “ person will be good and proper for one place who
 “ would not be so in another. This is what the pope
 “ cannot be acquainted with. The state of a church
 “ ought to be best known in the place where such
 “ church is situated.....The pope in usurping every
 “ thing to himself in this manner, gives himself too
 “ much trouble and solicitude, which he might as
 “ well let alone. One might apply very properly to
 “ him what Jethro said to Moses : ‘ *You exhaust*
 “ *yourself foolishly : this burden is too heavy for*
 “ *you, you cannot bear it singly.*’ It is better to
 “ govern a few things well, than to rule many dis-
 “ orderly. The office of a pope is principally to
 “ preach and to exhort ; which he cannot well do
 “ amongst so many hindrances and embarrassments

"If we consult the chronicles and decrees, we
 " shall not find that the popes made such usurpa-
 " tions, neither that they had the disposal of bene-
 " fices : on the contrary, when they recommended
 " some ecclesiastic to a bishop, we find they laid a
 " heavy burden on the bishop : they did it not even
 " by command but as it were by supplication. The
 " pope is not universal lord of the church ; he is the
 " servant of servants, in order to serve every human
 " creature." In concluding, the orator addresses
 himself to the king, and entreats him to oppose him-
 self to so many excesses. " You have," said he to
 him, " power over the pope, when the pope upholds
 " schism so obstinately as he does." Peter Regis
 maintains that the authority of the monarch is suf-
 ficient, that a council might be dispensed with, and
 that no person ought to suffer himself to be intimi-
 dated by menaces of excommunication, because, far
 from being obliged to obey a schismatic pope, such
 obedience is, on the contrary, criminal.

Peter Plaoul, a canon of Notre Dame de Paris,
 doctor in theology, harangued upon this text, '*Far
 be from hence the enemies of Zion,*' that is, the
 popes, according to the orators. He asks: '*And
 by whom shall they be cast out ?*' and he replies :
 " The kings of France, principally, have always put
 " away schismatics and heretics, enemies and per-
 " secutors of the faith, and other princes also." Now
 such are in his eyes the competitors for the papacy,

he compares them to demons, *which make a good entrance but a bad exit ; to the idol or devil at Delphos, whose replies had always two faces.* "The pope can err," said he, "can sin : the church is so full of charity, that she cannot err ; she cannot go astray, nor commit sin.....The temporal possessions of the church are the tender parts of its body, which war and make war on it every day, and from this sensuality proceed and spring up schism and division. I do not say temporal power may administer the sacraments, nor that it may interfere in conferring orders : but, when it sees such schism, of which it must at a future time render an account, wherefore should it not consider what remedy were suitable ? It is a very great merit and virtue in a temporal prince when he does that which the spiritual ought to do, and gives great pleasure to the spiritual power though it displeases him who presides over such power."

Although Fillastre, dean of Rheims, had already spoken without success as without prudence, as we have before said, he was permitted to pronounce a second discourse, which was neither more sensible nor more skilful than the first. He desired that the pope should possess not only the right to pasture the Lord's sheep, but also to shear them ; and in reply to the abbot of St. Michael du Mont, who had supported the contrary, he expressed himself in these terms :

“ I do not know what they do in the country Monsieur l'abbé du Mont ; but I am very certain that in my father's house, at least once a year, they sheared their sheep : otherwise the thorns and thistles would fasten in them, which would slay and kill the sheep. They are entrusted to him to feed and shear. If he does so, he uses his right, and perhaps there are none at any time who, if they were sheared more or less than they are, would be the better for it.”

Simon de Cramaud, patriarch of Alexandria, who next obtained permission to speak a second time, asserted that Benedict was no longer pope, and that they ought not to obey him. “ There was a monk in a monastery,” said he, “ who played the religious to perfection. He fasted three times a week, he never omitted it. He was made abbot, and he fasted no more. It was remarked to him : *Sir, you were used to fast ; but you have altogether forgotten your usual custom.* He replied, that he was then keeping the eve of the festival he was now celebrating.” So Benedict, before becoming pope, appeared humble, christian-like, peaceful, and disposed to giving up. The dean of Rheims had instanced the example of king Uziah, punished for having put his hand to the censer. “ This example,” said the patriarch, “ is made very mal-a-propos. Uziah wished to sing the mass and perform the sacrifice, which was the province of the priests ; so

“ was justly struck with leprosy. If the king of France sees a schism in the church, of which he must render an account at the day of judgment, who shall prevent him from putting forth his hand, and doing the best he can? I believe you will find that there never has been a schism put down in a general council, where there had not been a king present who countenanced the matter and lent a hand to it.”

After they had further heard the archbishop of Tours for the pope, and John Petit against him, the advocate general, John Juvenal des Ursins, reprimanded, in the name of the king, dean Fillaster, for having dared to say, that the pope was sovereign in spirituals and temporals. “ He has spoken very improperly, and if he does not retract, I must take proceedings against him,” said the advocate general, who also complained of the maxims advanced by the rest of Benedict’s defenders, and even by the archbishop of Cambray and Peter d’Ailly. According to Juvenal des Ursins, the popedom, which he called ‘*the Cephality*,’ was first at “ Jerusalem, then at Antioch, afterwards at Rome. If it could be so, added he, that the ‘*Cephality*’ and the Apostolic See were again sent back there and confined to their first place, to Jerusalem, I believe it would be well.” The advocate of the king supported the liberty of elections, and would not suffer the pretensions of a pope to annul them. “ As all that,”

said he, "tends to the king's injury, I beseech
 "you, my lords, to provide against it.....It ap-
 "pertains not to the Church of Rome to fill up the
 "vacancies of the Church of Paris. Wherefore?
 "because it is very well founded and endowed.....
 "and in case of necessity it could yield him sup-
 "plies. The rights of churches are derived from
 "kings and temporal princes. Constantine en-
 "dowed the Church of Rome. The king of France
 "founded the church of St. Denix, &c." The
 advocate of the king gave credit we see to the Do-
 nation of Constantine: this fable was still so accred-
 ited, that the best informed men never called it in
 question, even at the very time they combated the
 pretensions of the Roman court. Here Juvenal des
 Ursins cites it to shew, that the popes hold their
 temporal domains from sovereigns alone, and to
 draw from it the conclusion that, without the con-
 sent of kings, the popes can exact no tribute from
 either the people or the clergy. He complains of
 the collectors and questors, ministers of the exac-
 tions of the bishop of Rome; he calls them 'rascals,'
 and adds, "The pope has so many catch-bits, that
 scarcely one half comes to his share; they disturb,
 they write, they pull down, they excommunicate
 and they destroy all."

The university published its conclusions in six
 articles, viz.

1. Every prelate, were he pope, is obliged to ab-

dicare for the unity of the church and the extinction of schism, even though he should not have promised to cede : and he may be compelled so to do.

2. A pope who has promised and sworn to cede, if the greater number of the cardinals judge it necessary, is obliged before God and the church militant so to do. There is no man who can dispense him from so doing. Jesus Christ and his church have right over the pope.

3. When a pope has sworn to cede, and that, required so to do by the greater number of the cardinals, he refuses, he is a perjurer, unfaithful to God and man ; he may be arraigned for heresy : if he persists in his refusal, he ought to be declared a heretic by the assembly of prelates.

4. He who has been elected pope only on the condition that he would cede, when occasion requires ; and who, solemnly called on to resign, perseveres obstinately in calling himself pope, is no longer pope, and one may and ought to disregard him, without a necessity of a decree being expressly made on the subject.

5. A pope who publicly violates his oaths, is notoriously guilty, contumacious and rebellious ; he ought to be pursued like a heretic.

6. Secular princes are meritorious in the sight of God, and vindicate his sacred rights, when they league together to punish an infatuated pontiff,

whose perjuries have rendered him unworthy of the papal dignity.

Upon these conclusions of the university, the prelates who represented the Gallican church made a decree in which they prayed :

1. That the king should forbid all the subjects of his kingdom, and of the dauphinate, to condemn directly or indirectly the mode of cession, or the withdrawal of obedience.

2. That all which had been done or ruled during this withdrawal should be valid, inviolable, and subsist in all its force.

3. That all which might have been done, in whatsoever manner, in a way opposed to this withdrawal might be rectified and fully repaired.

The king confirmed this decree by an edict of the 7th of January, 1407, which was not published till the month of March following.

In 1417, the 26th February, " Master William de Tur, advocate or deputy to the king's solicitor, said and proposed in judgment, that the king is emperor in his own dominions, holding of none but God, and not being under the jurisdiction of any person or lord whatever, and that, as king and emperor, he can make laws and decrees in his kingdom, against which no person in his kingdom can take any step ' direct or indirect,' even by way of appeal, on pain of high treason.

" He said, besides, that he is the founder of the

“ benefices of his kingdom, ‘ *maxime*,’ of the greater
 “ part, and to whom the collection of many belongs
 “ ‘ *pleno jure*,’ and others ‘ *jure regalæ*,’ and also
 “ is protector of the Church of France, and to him
 “ belongs to protect its liberties and privileges, and
 “ in order to preserve them, to make laws and
 “ cause them to be kept, and it is not allowable to
 “ any subject of the king to oppose them.”—*Ex-*
tracted from the Parliamentary Registers.

We have spoken in our first volume, page 230, of the pragmatic sanction published by Charles VII. in 1439. However important this truly national decree, we cannot insert it here in consequence of its length, and because it has been so often printed. It is to be found in the Collection of Ordonnances, vol. xiii. pages 267 to 291. You may consult also in the ‘ Collection of the Liberties of the Gallican Church,’ at the conclusion of the second part of vol. 1. an historical memoir of Dupuy, on the origin of the pragmatic sanction. See here what Villaret says on the subject, History of France, vol. 1, page 261.

“ We think it a duty to the reader to give an account of these laws, long considered among us as the bulwarks of the liberties of the Gallican church. For the pragmatic of Charles VII. is but an extension of that published by Louis IX. the most religious of our monarchs. These are the principal articles which were determined on. That an œcumenical council was superior to the pope.

“ That, according to the ancient usage, they should
 “ proceed by means of election to fill the archiepiscopals
 “ sees and other ecclesiastical dignities. That
 “ all the general reservations on this head should be
 “ prohibited, as well as the particular reservations of
 “ the smaller livings. That the bishop and ordinaries
 “ should be maintained in their right of collation.
 “ That the pope cannot bestow a vacant benefice,
 “ except in the case where the collator shall have
 “ ten in his nomination ; and two, when he has fifty.
 “ That one cannot be compelled to go to plead in
 “ the court of Rome : and that, in cases of appeal,
 “ the pope should be obliged to delegate judges ‘ in
 “ partibus.’ That none should be called up out of
 “ his diocese to a court more than four days journey
 “ distant. The general abolition of all benefices,
 “ reversions, reservations, anticipations, man-
 “ damuses, &c. The reduction of the cardinals to
 “ twenty-four. Abuse of excommunications and inter-
 “ dicticts repressed. Very express prohibitions from
 “ paying the first fruits to the Holy See, under pain
 “ to the offenders of being declared simoniacal, and,
 “ to impeach the pope at the approaching council, if
 “ he accepted such fees.” Charles in consecrating
 this edict by his authority, drawn up by the most
 enlightened men in his kingdom, displayed his wisdom.
 He caused his firmness to be no less admired, by the
 attention he paid to the maintenance of its execution during
 the whole course of his reign.

“ This pragmatic sanction, says Pasquier, produced some repose to our Gallican church, but not to the court of Rome, which never relished such.— And those who even, previous to their pontifical dignity, approved of them, suddenly after their promotion changed their tone, as did Eneas Sylvius, who, like a great personage as he was, being at the council of Basle, where many of these propositions had been agreed on, published a book expressly to prove, that there was nothing in any of these articles other than what was holy and full of piety : however, after becoming pope, and that he had changed his own name into that of Pius II. he retracted it.” *Recherches de la France*, vol. 3. p. 27.

In 1456, a cardinal sent into France in quality of Legate by pope Calixtus III. was obliged to do homage to the liberties of the Gallican Church, to the sovereign power of the king and the authority of the pragmatic sanction. “ Alain, by the grace of God, cardinal of the Roman Church, by the title of St. Praxedes, commonly called the cardinal of Avignon ; to all those to whom these present letters shall come, salvation through our Lord. As we have been and are sent by our holy father, pope Calixtus III, legate ‘ a latere ’ to the kingdom of France, and to all the Gallican nation, and other countries as far as the Rhine, and because the very high and puissant and most Christian king, my sovereign

“ Lord, the King of France, has sent a venerable
 “ and discreet person, M. Jean Bastard, his counsel-
 “ lor and chanter of the church at Paris, to us in this
 “ city of Avignon, by whom it has been command-
 “ ed and made known to us, that, because the king
 “ has a right not to have nor to receive an apostolic
 “ legate into his kingdom, and that no cardinal or
 “ other person ought to come to him in form and
 “ manner of legate ‘a latere’ to exercise or use any
 “ power or authority as legate, and that the king
 “ and his predecessors have always enjoyed and
 “ used such right, the king does not mean that we
 “ should be legate in his said kingdom, nor that we
 “ should enter therein or act as legate, neither use in
 “ any way whatever power or authority as legate,
 “ touching or relating to jurisdictions, collation of
 “ benefices, nor in any other manner whatever;
 “ but that, for certain causes and considerations,
 “ which have moved and do him move thereto, his
 “ good pleasure was and is that we go unto him,
 “ and cause our crosiers to be borne before us when-
 “ ever we may be in his said kingdom, and that in
 “ the letters which we shall write, we nominate our-
 “ selves ‘legate a latere’: We make known, that we,
 “ having respect to what has been above stated, wish
 “ and accord, and are content that our entrance and
 “ arrival in the said kingdom of France, and the bear-
 “ ing of the cross before us in the said kingdom,
 “ and other insignia as legate, even as the good plea-

“ sure of the king has permitted to us, and also the
 “ name of legate a latere, which we make use of and
 “ assume in our letters, may be all without prejudice
 “ of the rights of the king and of the kingdom, and
 “ of his successors for the time to come ; and we pro-
 “ mise, that we will not use nor perform any thing
 “ appertaining to the office of legate, nor to the
 “ power and authority of legate ‘ a latere ’ in the said
 “ kingdom of France : but, if we shall use any spe-
 “ cial or particular powers given, granted or conced-
 “ ed to us by our holy father, the pope, we are wil-
 “ ling and content that it be without prejudice of the
 “ rights of the king and of the kingdom aforesaid : and
 “ we do not mean that this be understood to be under
 “ the power, or by way of exercising the power of
 “ legate a latere, and that we will use none which are
 “ opposed to or in prejudice of the pragmatic sanction ;
 “ and if any thing hath been done by us, or caused
 “ to be done, to the contrary, from this time as for the
 “ past, we will, that all be null, broken and invalid.
 “ In witness of which abovenamed things, and in or-
 “ der that they may have the greater stability, we
 “ have granted and caused these letters to be written,
 “ and sign them with our proper hand, and cause
 “ them to be sealed with our own seal, in the said
 “ place of Avignon, the first day of January, year
 “ One Thousand Four Hundred and Fifty-six.—
 “ Signed A. Cardinal d’Avignon.”—*From the Re-
 gister of the Ordonnances Barbines, fol. 162.*

In 1475, Louis XI. declares, that no bull shall be published, until after they shall have been assured by a mature enquiry, that it contains nothing contrary to the liberties of the Gallican church.

“ Louis, by the grace of God, king of France, to
 “ our beloved, &c. As we have been informed that
 “ many messengers, and other persons of divers
 “ states, have brought and still bring daily into our
 “ kingdom, or into the confines thereof, many bulls,
 “ letters and other processes and writings of the
 “ court of Rome, greatly prejudicial and opposed to
 “ us and to the liberties and franchises of the Gal-
 “ lican Church : therefore, we, wishing to provide
 “ herefor, have, by the advice and decision of many
 “ lords of our blood and lineage, and members of our
 “ council, resolved, concluded and determined, to
 “ place in some good cities of this our kingdom some
 “ notable persons, to us sure and faithful, to whom
 “ all manner of people, of whatsoever state or con-
 “ dition they be, coming from the said court of
 “ Rome, shall be required to present and exhibit the
 “ letters, bulls, and other writings which they may
 “ bear, in order that they may be viewed and exa-
 “ mined, and to ascertain if they can turn to our
 “ prejudice or damage in any way, or to the damage
 “ of the privileges, franchises and liberties of the
 “ said Gallican Church.....
 “ And in case any such shall be found which

" might prove contrary or prejudicial thereto,
 " secure them and retain them with you, and the
 " bearers of them arrest and constitute your pri-
 " soners, if you perceive the matter renders them
 " liable to it : and of the substance of said letters
 " advertise us, or send them to us with all diligence,
 " in order that we may make the necessary provision,
 " and such as the case may require, relative to them.
 " And, in order that no person may pretend igno-
 " rance of the contents of these presents, cause them
 " to be read, cried and published, &c.

" Given at Plessis-du-Parc-lez-Tours, the 8th day
 " of January, year of Grace, 1475, and of our reign
 " the fifteenth. By the king in his council, in which
 " were the archbishop of Lyons, the sieurs de Beau-
 " jeu, de Montagu, d'Argenton, du Bouchage,
 " Master John Bourre, the treasurer, and other
 " persons.

" Signed,

" DE CHAUMONT."

In 1468, Paul II. dared to cause a bull to be
 published in France, by which he excommuni-
 cated the king of Bohemia. Louis XI. though he
 had far too much complaisance for the court of
 Rome, was aware however of the consequences of
 this attempt, and caused a memorial to be framed,
 of which here follow some of the articles :

" First, it is not a trifling thing to denounce an

“ excommunicated, exasperated, anathematized king,
 “ in the state of another king, especially that of
 “ France, who is most Christian, and acknowledges
 “ no person in temporals, without informing him of
 “ it, to prize him so little, as ‘jure auctoritatis,’
 “ to command such to be published in his states, the
 “ like of which had never been done in the times of
 “ the predecessors of the king.

“ Secondly, it is a great attempt of the popes to
 “ assume to themselves power to deprive kings of
 “ their royal dignity in two cases, the one, if they
 “ adhere to heretics, the other, if they conspire
 “ against the pope’s authority, for the matter may
 “ extend itself into too many branches ; and also, to
 “ send to have it published in the kingdom of France,
 “ without advertising the king, and without his
 “ knowledge and consent.

“ *Item*, it is a great attempt to send to pro-
 “ claim in France, that one cannot assess or levy
 “ any collects real or personal upon people of the
 “ church, without the permission of the pope : for, by
 “ this means, all the temporal subjects of the members
 “ of the church would no longer pay any thing to the
 “ king ; and so the pope wishes to imply, that they
 “ are his subjects in temporals, and not the king’s.

“ *Item*, it is a great attempt to send to proclaim
 “ in France, that those who strip or detain persons
 “ going to Rome are excommunicated ; for by this
 “ means all the royal ordinances, and all the orders

“ of the king, relative to the bulls of the court of
 “ Rome, and silver and copper money which leave
 “ the kingdom, would be null.

“ *Item*, it is a great attempt to excommunicate all
 “ those who in their possessions impose new cus-
 “ toms, and to send to proclaim it in France.

“ *Item*, it is a great attempt to abolish all the privileges
 “ of princes, whether kings or others, relative to the
 “ contents of said bull, and that the said privileges can
 “ profit them nothing, and that the king is no more
 “ excepted than the least personage in his kingdom,
 “ and to send to proclaim it in France.

“ *Item*, it is a strange article, that none can be absolved
 “ from the censures contained in said bull, unless they
 “ look to the pope, and that no priest can absolve
 “ them even in the article of death, unless they enter
 “ bail, if they get well, to go unto the pope.

“ *Item*, the brief implies, that there are some, in
 “ each of the provinces of France, who are involved
 “ in the crimes contained in said bull, which is a great
 “ libel on the kingdom ; for heresy never took root
 “ there ; wherefore, &c.”

The fifteenth century offers so many other monu-
 ments of the same kind : for example, two acts of
 appeal of the University of Paris, both dated in the
 month of Sept. 1491, relative to the exactions of the
 Court of Rome. But the first of these pieces con-
 sists of simple formulas generally, and the se-
 cond, loaded on the other hand with the most toil-

some details, can hardly pass but for an amplification of the college. We are obliged to admit, that the acts of the university of Paris have had very often this deplorable character. However that be, we may remark here, as we have said elsewhere,⁽¹⁾ an express mention of the pragmatic sanction of Louis IX. as follows :

“ Beatus enim Ludovicus, dum in humanis ageret, fertur quandam pragmaticam sanctionem edidisse per quam exactiones et onera gravissima pecuniarum, per curiam Romanam ecclesiis regni sui et ejus ministris impositas vel imposita sive imponenda, levare et colligi prohibuit, nisi duntaxat pro rationabili, piâ et urgentissimâ causâ, vel inevitabili necessitate, et de spontaneo et expresso consensu ipsius cleri, regniq[ue] ejus.” We should observe, that the university employs in those lines the very terms of the 5th Article of the pragmatic of Saint Louis.

In the sixteenth century, we shall first remark a decree of the parliament of Paris against seditious preachers. “ This day the court has ordained, that M. John de Selve, first president, shall send this day to fetch into his house the preachers who preach in this city, in order to inform them that they must preach sagely and discreetly, and stir the people to devotion and love towards each other, and towards those who have the burden and administra-

(1) Vol. 1, p. 191.

“ tion of public affairs; and that justice shall be administered to them as well as ever it was, without accusing or speaking ill of those who had or have the government of the kingdom ; and to keep the people in good heart and to excite them to union.— Done in Parliament the 8th of March, 1524.”— From this period the necessity was felt of repressing the intolerable abuses of the pretended spiritual power, these public enterprises against the honor of individuals, the public peace, and against the majesty of the prince and of the laws. The crimes of this description have never ceased to be re-acted, and the civil magistrates were far from always proceeding against them with adequate zeal.

After divers decrees passed against the Carmelites, the Cordeliers, and other turbulent preachers, Charles IX. published in 1661, an ordonnance the first article of which was couched in these terms : “ We have also forbidden and do prohibit, even under penalty of the gallows, to all preachers to use in their sermons or elsewhere, offensive words, or words tending to excite people to sedition : we have also enjoined them, and do enjoin them to keep within bounds and conduct themselves modestly, and to say nothing but what may tend to the instruction and edification of the people, and to maintaining them in peace and quietness, under the same penalties. And, of the above-mentioned circumstances and seditions, we have appointed the

“ sovereign cognizance, to our judges, counsellors,
 “ and magistrates established in the presidial chairs,
 “ countries, lands and seignories, each in his own
 “ jurisdiction respectively.”

The 15th of March, the same king wrote the following letter to the Parliament: “ Trusty and well
 “ beloved, we have heard that there are some
 “ preachers of our city of Paris, who cannot keep
 “ within proper bounds or refrain from mingling in
 “ their sermons many things both offensive and se-
 “ ditious, and which can in no way tend to the edifi-
 “ cation of the people, but rather move and excite
 “ them to sedition ; and having it certified to us, that
 “ there are among you those who, although they
 “ have been hearers of such things, took no thought
 “ to provide against them ; we cannot conceal from
 “ you, that with such we are not well pleased, nei-
 “ ther have they given us much reason to be so ;
 “ therefore, we command and enjoin you, inasmuch
 “ as you shall desire to do that which is pleasing to
 “ us, that you send for, and cause to appear before
 “ you, all the preachers who are accused of having
 “ so proceeded in their sermons, by improper, offen-
 “ sive and seditious words, in order to admonish
 “ them to abstain from such for the future ; and if,
 “ after the said admonition and prohibitions, which
 “ you shall make to them, to do so no more, they
 “ shall continue so to do, forbid them the pulpit, and,

“ if occasion require, proceed against them as shall appear to you right.”

The 11th of June, 1590, “ The court being assembled in the chamber of pleas, in order to go to the procession general of St. Martin at St. Gatian, M. the first president gave it to understand, that yesterday attending the sermon of the curate of St. Saturnine, he heard held forth very seditious propositions ; among others, that the people should be united on behalf of the catholic religion, that the nobles had conspired against the church, and many other discourses calculated to lead away the king’s subjects from their allegiance, and has represented to us, that such preachers alone had stirred up the people of Paris, and led them on to disobedience and rebellion ; that it was needful to stop the course of such pernicious and injurious violence in the city, which has ruined Paris and so many other towns. And, certain masters of requests and counsellors, having attended said summons, and having confirmed what has been represented to us by Mons. the said first president, it has been decreed, that the said curate shall be bodily taken and conveyed to the ‘ conciergerie’ and confined there until the court shall otherwise command.”

Henry IV. was obliged to apply himself to repressing the same disorders : this was the object of the letters patent which he gave the 22d of Sept. 1596 : “ Henry by the grace of God, king of France

“ and Navarre, count of Provence and Forcalquier
 “ and the adjacent territories, to all those who shall
 “ behold these presents, greeting. Every person
 “ can clearly perceive, how much the long and per-
 “ petual wars with which this state has been
 “ troubled, have carried licentiousness, confusion,
 “ and all sorts of dissoluteness, depravity, and cor-
 “ ruption of manners and sound discipline, into all
 “ orders, states and functions, insomuch, that
 “ scarcely can a single trace be discovered of the
 “ ancient virtue and piety which formerly flourished
 “ in this kingdom; but that which above all is to
 “ be regretted and deplored is, that this evil has
 “ penetrated so far as to have obtained a footing
 “ among those who, holding the first rank and au-
 “ thority, could and ought to serve as a beacon and
 “ example to retain others in their duty, to wit,
 “ the ecclesiastics: the most part of whom, instead
 “ of following and observing what suits their profes-
 “ sion, and living with that modesty, simplicity and
 “ piety which are requisite, and as did their ances-
 “ tors, have on the contrary opened the door to eve-
 “ ry unbridled liberty and error, as is too well expe-
 “ rienced in the evils and scandals which have sprung
 “ up from it, to the ruin and detriment of the public
 “ at large; those who are found of this number and
 “ station, among many abuses by them notoriously
 “ and openly committed, not having scrupled, or
 “ made a difficulty of, perverting and applying the

“ word of God to their own passions and unbound-
 “ ed love of gain, for which they have made frequent
 “ sermons against the public repose and tranquillity,
 “ and the authority as well of the deceased king our
 “ predecessor as of ourselves, advising and inducing
 “ the common people by their artifices, under the
 “ pretexts of piety and religion, and provoking them
 “ by their blasphemies, to revolution and sedition, in
 “ order to withdraw them from the obedience which
 “ God and nature command them to render to their
 “ superiors: a conduct far removed from that truth
 “ with which they ought to announce his word, and
 “ apply themselves to his holy service, for the salva-
 “ tion and edification of all the people, and to bring
 “ back the erroneous into the right path which they
 “ ought to follow, by a proper mode and good admo-
 “ nitions, but whom, on the contrary, they have left
 “ in their errors in place of holding forth their hand
 “ to them. And, although many of those who so far
 “ forgot themselves, having since seen the error they
 “ have committed, may have wholly withdrawn and
 “ abstained therefrom, making their sermons confor-
 “ mable to the word of God and the commandments
 “ of his church, nevertheless we have been advertised,
 “ that some becoming obstinate, and blinded by
 “ the presents and bribes made them on the part of
 “ those who have to this day supported and paid
 “ them, yet continue, in many of the provinces of our
 “ kingdom, licentiously to make use in their sermons

“ of all sorts of outrages, reproaches, and wicked
 “ and defamatory words, against our authority and
 “ that of the magistrates, tending to commotions and
 “ seditions, in place of bringing back and preserving
 “ each one in the knowledge and fear of God, and
 “ of those whom he has appointed over them.

“ For these causes, and other good and important
 “ considerations hereto moving us, and in order that
 “ our intention may be generally known against all
 “ impostors, we have declared and do declare by
 “ these presents, that we have always desired and do
 “ desire, that the word of God may be preached
 “ and declared in all the provinces, cities, towns
 “ and parishes of this our kingdom, and in all the pro-
 “ vinces, lands and lordships of our dominions, by
 “ all the doctors who shall be called and required so
 “ to do, even as is usual for the edification and salva-
 “ tion of the people, with the requisite sincerity and
 “ sound doctrine, conformable to the holy scriptures,
 “ and traditions of our holy mother, the Catholic
 “ Apostolic Roman Church, provided the said doc-
 “ tors be sufficient and capable, and not of those
 “ who are violent and officious about what respects
 “ our authority, the affairs, administration, and civil
 “ government of our kingdom, those who have
 “ desired, and still desire, to induce and excite our
 “ subjects to sedition and revolt, by their apostasies,
 “ calumnies, and false representations, whether in
 “ their said sermons, auricular confesssions, or other-

“ wise, in whatsoever way it be, to whom, and to all
 “ others disposed so to act, we expressly prohibit
 “ the assumption of the pulpit, under pain of being
 “ despisers of the honor of God, schismatical, and
 “ abettors of heresy, perverting his express word,
 “ and as such, of having their tongue pierced, without
 “ favour or remission, and of being banished for ever
 “ our kingdom.”

The sixteenth century would furnish us with many other monuments of the serious regard that was paid to a species of attempts, which have, however, been since continued. But it always results from the circumstances which we have just related, that the civil authority, or, as it is termed, the temporal, considered itself authorized, or rather obliged to watch, even in the interior of the churches, the exercise of this spiritual ministry which assumes to itself to be a power. In truth it is sufficient to possess the most simple notions of the social estate to know, that public harangues addressed to popular assemblies may, in several conjunctures, give occasion to crimes which the civil magistrate ought carefully repress.

It is in consequence of the same principles, that the French Government has never permitted the bull, ‘ *In cœna Domini*,’ to be read in the churches. From the year 1536, this bull, of which Paul III. was the first author, was denounced to the chancellor by the king’s servants in the parliament of Paris. The 27th of March they addressed to the chancellor the follow-

ing letter:—" Mons. we have discovered this day a
 " little book entitled '*Bulla Cœnæ Domini*,' glossed
 " and commented on by Mr. Peter Rebuffi, profes-
 " sor of statute law of the university of Paris, which
 " book has been newly printed and exposed to sale
 " in the said city : in the text of which bull we have
 " found many marvellously strange clauses, against
 " the authority of the king and of his courts of par-
 " liament, producing great scruples in the subjects
 " and officers of the said lord, as may be better
 " judged by reading and considering said book, which
 " we send you, having noted and marked the places
 " which seemed to us to be of most importance and
 " which most affect said lord, his courts, officers, coun-
 " sellors and subjects, and the church of France. As
 " soon as we beheld the said book at the '*Parquet*'
 " we went to relate the affair to the court, in order
 " to provide respecting it, as we think it will do ;
 " and we have required that, before any other trans-
 " action, the said books might be stopped and seized,
 " because there was no better way known of pub-
 " lishing said bull than by printing and exposing it
 " to public sale, especially at the present time, which
 " is that of '*cœnæ Domini*.' And, because the mat-
 " ter is of consequence and important, it has seemed
 " to us, Sir, that independent of the duty which
 " we have fulfilled to said court, we owe it to you to
 " apprise you of it, in order that, if you see meet
 " to acquaint the king with the matter, he may

“ make known to us thereon his good pleasure and
 “ intention, that we may obey it to the best of our
 “ power.”

After St. Bartholomew's day of 1572,⁽¹⁾ and when the clergy of France abandoned the maxims which had so long honoured them, to devote themselves to the court of Rome, some bishops essayed to publish the bull ‘*In cœnæ Domini.*’ Read what M. de Thou relates on the subject, in the year 1580 :

“ There happened at the same period a circumstance which I cannot pass over in silence, without failing in what the dignity of the kingdom exacts of me. Some bishops published, as it were clandestinely, a bull of the pope's. It was generally believed, at the instigation of the factious, who wished to sound the forbearance of the king and of the magistrates, determined also to proceed further, if they found an opportunity, when the parliament should be dissolved. . Some years had now elapsed since the pope had assumed to himself, over the Christian princes, a power that France has never acknowledged, and pretended to a right to excommunicate the magistrates who defend the civil authority against the attempts of the clergy. There is performed on this account every year at Rome, on holy thursday, a public cere-

(1) See Appendix A. A.

“mony, in which the popes cause the decrees to be
 “read, which they are careful to have subse-
 “quently distributed throughout Christendom, in
 “order to make a vain display of their power. It
 “was one of this description of bulls which they had
 “introduced into the kingdom. The attorney ge-
 “neral having brought his complaints before the
 “‘chamber of vacations,’ established in order to con-
 “tinue the distribution of justice, especially in cri-
 “minal affairs, the parliament, with the president
 “Brisson at its head, opposed itself to the publi-
 “cation of this bull ; and, imitating the firmness and
 “the freedom of his ancestors, he passed a decree,
 “which enjoined all the governors to inform them-
 “selves, who were the archbishops, bishops and
 “rectors, who had received either this bull or a co-
 “py, under the title of ‘*Litteræ processus*,’ and who
 “it was sent it to them to be published ; to prevent
 “the publication, if it had not yet taken place, and
 “to suppress the copies and forward them to the
 “chamber ; and, in case it was already published,
 “to cite the archbishops, bishops, or their curates,
 “to appear before the chamber, and reply to the
 “suit of the attorney general, and, in the mean time,
 “to seize their temporal effects or temporalities and
 “place them in the hands of the king ; to prohibit
 “the impeding the execution of this decree, under
 “the penalty of being punished as an enemy to the
 “state, and as guilty of high treason ; with an order

“ to print this decree, and to give credence to the
 “ copies, compared by notaries with the original
 “ itself. The decree is of the 4th of October,
 “ 1580.”

In reply to the extravagant bulls of Gregory XIII. Henry IV. published, the 4th of July 1591, letters patent, in which he expresses himself thus :
 “ It is no longer against any but the most ignorant,
 “ and those whom they wish to associate in the ex-
 “ pense alone, and not in the profit hoped from it,
 “ they display their pretensions as they have done
 “ in the time of the last popes, in order to make
 “ them pay dearly for the imaginary titles that
 “ they proffered them of chiefs and superiors in
 “ this cause. But this their evil intention was
 “ quickly discovered by the late pope Sixtus, whom
 “ we have seen lamenting in his latter days that he
 “ had been so much imposed on by them, and de-
 “ termined to fulminate against them rigorously, and
 “ more than he had before done against others at
 “ their instigation. They have since obtained in
 “ this dignity a subject more suitable for them, at
 “ least so far. His too easy credulity, and his too
 “ violent and precipitate condemnation of those who
 “ were neither defended nor heard, makes us pre-
 “ sume that he is rather more partial in this cause
 “ than the equal and common father of all ought to
 “ be ; having been informed, on the simple decla-
 “ ration which was made to him on the part of the

“ said rebels, that we had conspired against the
 “ catholic religion, and that we rejected all its in-
 “ struction, he has held us unworthy of it ; and, by
 “ a nuncio and express, he has caused monitions to
 “ be spread in every city in the kingdom against the
 “ princes, cardinals and officers of the crown, the
 “ archbishops, bishops, prelates, and all others, as
 “ well of the clergy and of the nobility as of the
 “ ‘ tiers estat’ who are in our service, and who have
 “ preserved to us that fidelity and obedience which
 “ they naturally owe us ; the said nuncio having en-
 “ tered into this kingdom without our leave and per-
 “ mission, neither having given us any intimation of
 “ his journey or of his business ; having on the
 “ contrary addressed himself to the said enemies,
 “ and to the said cities which they usurp, in order
 “ to receive from them his instruction as to what
 “ they would wish him to do, as being more their
 “ servant than his who sent him !”

In the same year, the cardinals and other prelates
 assembled, first at Mantes, afterwards at Chartres,
 addressed to all the estates, orders, cities and ca-
 tholic people of the kingdom of France, an instru-
 ment conceived in these words :

“ The apostle speaking to the pastors of the
 “ church : “ *Take heed to yourselves,*” said he,
 “ *and to the whole flock which God has placed you*
 “ *over, in order to rule and govern his church,*
 “ *which he has obtained by his blood.*” Which,

“ acknowledging to be our duty, and, not to suffer
 “ the Christian souls which are under our charge to
 “ be led away from the laws and commandments of
 “ God :

“ Being informed that our holy father Gregory
 “ XIV. at present reigning, badly informed of the
 “ state of affairs in this kingdom and of our deport-
 “ ment, has, by the practices and artifices of the
 “ enemies of this state, been persuaded to send
 “ some monitories, suspensions, interdicts and ex-
 “ communications, as well against the prelates and
 “ ecclesiastics as against the princes, nobles, and the
 “ people of France, who would not adhere to their
 “ faction and rebellion :

“ We have assured ourselves, after having con-
 “ ferred and maturely deliberated upon the matter of
 “ said bull, by the authority of the Holy Scriptures ;
 “ the holy decrees ; the general councils ; the
 “ canonical constitutions, and the examples of the
 “ holy fathers, of which antiquity is full ; the rights
 “ and liberties of the Gallican Church, of which
 “ the bishops our predecessors availed themselves at
 “ all times, and defended against similar attempts ;
 “ and from the impossibility of the execution of the
 “ said bull, from the infinite inconveniencies which
 “ would follow to the prejudice and ruin of our re-
 “ ligion :

“ That the said monitories, interdictions, suspen-
 “ sions and excommunications, are null, as well in

“ form as in matter ; unjust, and suggested by the
 “ artifices of strangers, enemies to France, and, that
 “ they cannot bind nor oblige us, nor other French
 “ catholics, being in subjection to the king :

“ Of which we have judged it to be our duty
 “ and obligation to inform you, as by these presents
 “ we do now inform you, without meaning to dimi-
 “ nish in any way the honour and respect due to
 “ our holy father, do inform, advertise, signify and
 “ declare, in order that the weakest among you may
 “ not be imposed upon, abused, or diverted from
 “ their duty towards their king and their prelates,
 “ and to remove in this all scruple of conscience
 “ from good catholics and faithful Frenchmen :

“ We, reserving to ourselves to represent and
 “ fully explain to our holy father the justice of our
 “ cause and our holy intentions, and to satisfy his
 “ holiness : of which we may promise you the
 “ same reply that Pope Alexander made, addressing
 “ these words to the bishop of Ravenna : *We shall*
 “ *bear patiently, tho' you do not obey, what shall have*
 “ *been suggested to us, and to which we might have*
 “ *been persuaded by evil impressions.*

“ It is commanded all curates or their vicars, to
 “ publish the present declaration in their sundry dis-
 “ courses, and to affix it to the door of their churches.
 “ Signed Charles, cardinal de Bourbon ; Philippes,
 “ cardinal de Lenoncourt ; Renaud de Beaune,
 “ archbishop of Bourges ; Philippes du Bec, bishop

“ of Nantes ; Nicholas de Thou, bishop of Chartres ;
 “ Nicholas Fumee, bishop and count of Beauvais,
 “ peer of France ; Henry d’Escoubleau, bishop of
 “ Maillezais ; Claude d’Angennes, bishop of Mans ;
 “ Cosme Closse, bishop and count of Chalons,
 “ peer of France ; Rene de Daillon, nominated to
 “ the bishopric of Bayeux ; Jean Touchard, abbot
 “ of Belozane ; Jacques Davi du Perron ; Cl. Govin,
 “ dean of Beauvais.”

The traditions of the Gallican privileges were preserved to the seventeenth century, by the decisions which were passed against the books of Bellarmine, of Mariana, of Suarez and of Santarel, and which we will not transcribe here.

The nuncio having complained of one of these decisions, the first president delivered to the Queen Regent a statement of the motives which had determined the resolution of the parliament.

“ M. the nuncio complains, that the decree which
 “ condemns the book of cardinal Bellarmine, does
 “ a great injury to the authority of the pope ; and
 “ the parliament has adjudged the book of Bellar-
 “ mine not only to diminish but altogether extinguish
 “ the authority and power of the king, and to be a
 “ manifest attempt upon his life. Shall I then, his
 “ very humble and very faithful servant, be re-
 “ duced to so deplorable a condition, that, if I behold
 “ the dagger presented to the bosom of my king, it
 “ shall not be permitted me to place my hand before

“ it? The principal tendency of this book is to
“ give to subjects permission to kill their kings:
“ for, in what affects the authority of the king, the
“ book establishes the temporal sovereignty of the
“ pope over the king and over you Madam! which
“ is a false and ridiculous proposition, not tenable,
“ and so often rejected and reprov'd by our kings
“ and the laws of this kingdom, that I hold those
“ who would wish to uphold it guilty of high trea-
“ son. The examples taken notice of in the His-
“ tory of France are notorious. As a mark of this
“ sovereignty he adds, that the pope can ordain
“ kings and depose them, and, in case of imbecility
“ or levity of mind, appoint to the government of
“ their states. If this proposition held, it would be
“ necessary for you to resolve, either to leave the
“ kingdom, or to ask his permission to remain in it;
“ for, if he has power to appoint to the government
“ of monarchies because of incapacity proceeding
“ from weakness of mind, there is no difference, as
“ to reason, in a young prince incapable of governing
“ his state from the natural insufficiency of his age,
“ during which Madam! you, being regent in
“ France, with all power and authority royal and
“ sovereign, shall be compelled to abandon his
“ affairs, and to quit the kingdom, if you acknow-
“ ledge a sovereign over you, and hold the royal
“ sceptre by fealty and homage to him. I presume
“ this is not your intention.

“ The king has no superior but God, who by his
 “ hand having placed the crown on his head, he can
 “ hold it from no other ; and every assertion to the
 “ contrary is a mere imagination, which will dispense
 “ with my speaking further on the matter. What
 “ I represent to you Madam, concerns your interest,
 “ joined to that of the king ; but you must feel a
 “ particular interest in it, if you reflect on the period
 “ in which this book has made its way into the king-
 “ dom. It was printed many months before the pa-
 “ ricide of the late king ; the enemies of the happi-
 “ ness and tranquillity of your subjects have occa-
 “ sioned its being introduced into your state, on per-
 “ ceiving their power weakened during your regency,
 “ so that it is especially an enterprize against you, it
 “ being very certain that they would never have at-
 “ tempted it during the life of the great Henry,
 “ your lord and husband of most happy memory ;
 “ or, if they had so far forgotten themselves, he
 “ would have chastised the bearer of it, of whatever
 “ quality or condition he had been ; or if the pope
 “ had avowed the publication of it, he would have
 “ been no less ready to repress his audacity than his
 “ predecessors, being more brave, greater, and more
 “ powerful than they ; and would have sent to seize
 “ the author of the book in Rome itself ; which his
 “ Holiness would not have dared to prohibit, so
 “ much was his valour dreaded by all the world.”

The same principles were exposed in 1639, by

Chavigny, secretary of state, in a conference with the nuncio Scoti; but it must be acknowledged that this nuncio dissembled nothing relative to either the hopes or pretensions of the court of Rome. He said "that he had learned that four or five bishops had collected together, and that they had proposed among them to form a National Council; but that he laughed at that, that he had heart and spirit to uphold the interests of the pope, and that should they come to extremities, *the pope would put down the king.*"

Since 1660, the affair of the duke de Crequi, that of the Regale, the Four Articles of 1682, the bull *Vineam Domini*, the bull *Unigenitus*, the legend of Gregory VII. the expulsion of the Jesuits, have successively furnished to the parliaments of France, to the universities, to the clergy themselves, opportunities to advocate the independence of the civil authority, and to trace the bounds of the spiritual pre-eminence of the bishop of Rome. On all these occasions, they have demanded back or regretted the pragmatic sanction of 1439, and have demonstrated, that the maxims of the Gallican church were those of the whole church, to the end of the eighth century, that is, up to the fabrication of the 'false decretals.' The acts, decrees, and the public memoirs published on this subject, in the reigns of Louis XIV. and Louis XV. are too recent, and too numerous, that it should be necessary for us to reproduce them here.

It is abundantly proved by all the preceding documents, that the Church of France has never ceased to oppose to the enterprizes of the popes, the precepts of the Gospel, the laws of the first ages of Christianity, the evidence of reason, and the experience of history.

Here behold what many bishops, formerly French, wrote in 1802 to the present pope, men who, even in renouncing their country by the most condemnable obstinacy, and separating themselves for ever from the Gallican church, yet could not refrain from avowing its principles. “ Jesus Christ, say they, in founding his church, chose from his apostles him who was to be its head ; and by a prodigy of his power, the succession of its pontiffs has been perpetuated even to your Holiness. But, he did not say to St. Peter: *You shall govern the church as I govern it myself ; my power shall be yours, and my infallibility shall be your lot.*” He only promised these gifts to the church, united in the persons of its pastors. He did not say to him, *The gates of hell shall not prevail against you,* but he promised him that they should not prevail against *the Church*; and, in order to add example to precept, in assuring the infallibility of the church, he permitted St. Peter to feel all the weakness of humanity before Caiphas. The apostles developed the doctrine of the sovereign master,

“ and St. Paul demonstrated to the church, that the
 “ bishops were established by the Holy Spirit for
 “ the purpose of governing the church of God. The
 “ œcumenical councils all recognised this funda-
 “ mental truth.....St. Peter governed the church in
 “ submitting to the laws : when he thought he had
 “ power to depart from them, Paul resisted him
 “ in referring to the law, and Saint Peter sub-
 “ mitted.” (1)

(1) Reply of some French bishops to the brief of the 16th
 of August, 1801.—London, 1802.—Deposited in the archives
 of the empire.

EXPOSAL OF THE CONDUCT OF THE COURT OF ROME, SINCE THE YEAR 1800.

IT remains for us to shew, that even since the year 1800, and in defiance of the lustre of the information spread by the court of France upon all questions relative to the papacy, the court of Rome has redoubled its efforts to resume over kings and bishops all the power and authority which the popes of the middle ages had usurped.

Pius VII. elected the 14th of March, 1800, did not enter Rome until the end of June, after the battle of Marengo : it was the conqueror who established the new pontiff in the apostolic chair. Shortly after a concordat was negotiated between France and Rome ; in the month of April 1802, this concordat was published, became law, and restored the religious establishments in the French empire. Pius VII. appeared at first sensible of the value of so many benefits ; his letters, his public speeches, expressed in a lively manner his gratitude : he declared, as we have already said, that next to God, he owed all to the hero who governed France. ⁽¹⁾

(1) See Appendix B. B.

However, towards the end of the year 1803, the court of Rome complained of the organic laws, published with the concordat of 1802; and it imports us to know what were the subjects of these first and tardy 'reclamations.'

1. It complained of the order which required the express authority of government for the publication of bulls; it dared to require that these bulls might have of themselves the force of law. This was combatting more openly than ever one of the ancient maxims of the Gallican Church, asserted at all periods, proclaimed by Louis XI. cherished by Francis I. recognized by Leo X. invoked by Bignon and by Aguesseau, taught by all the French civilians from Pithou to Hericourt,⁽¹⁾ observed in France, even as respects doctrinal bulls, and incapable of suffering any restrictions, but as far as respects penitentiary briefs, which are not susceptible of any publicity.⁽²⁾

2. The pope protested against the organic article which declared, that without the authority of government, no legate, nuncio, or delegate of the Holy See, should exercise any authority in France; an article drawn nevertheless from the soundest maxims of public law, from the constant usage of

(1) Appendix C. C.

(2) We must observe, that this exception, if it be one, was expressly stated the 6th of Jan. 1804, by the minister of worship, in a letter to the legate of the Holy See.

the Gallican Church, and from the 11, 12, 58, 59, and 60th articles of Pithou.⁽¹⁾

3. His Holiness exclaimed against one article expressed thus : "The decrees of foreign synods, even those of general councils, cannot be published in France before the government shall have examined their form, and ascertained their conformity with the laws, rights and franchises of the state, and whatever could by publication or interest affect the public tranquillity."

It is the maxim which Pithou has thus expressed: "The general councils are not received or published in France but by permission and authority of the king." Besides, no person can be ignorant, that in 1576, 1588, and 1614, the States general opposed the publication of the council of Trent, and that at several periods the popes vainly demanded it of the sovereign, whose consent was recognized as necessary by the fact of the applications.

4. His Holiness required the abrogation of the article which permitted recourse to be had to the council of state, in the case of abuse of the ecclesiastical jurisdiction. It was replied, that an appeal, as of abuse, was one of the most established points of our ancient jurisprudence, and that neither the pope nor the bishops had ever obtained from our kings a rigorous determination of the causes in which

(1) Appendix D.D.

recourse may be had to this remedy. The compilers of the ordonnance of 1667 have declared, "that there was nothing more opposed to the laws of the kingdom than to limit appellations, as of abuse, to particular cases; that the clergy having often demanded it, it was always relied to them, that these matters could not be otherwise specified than that whatsoever was contrary to the liberties of the Gallican Church, to the holy canons received in France, to the laws of the kingdom and the authority of the king, were mediums of abuses; that the general rules embraced every thing; but that, if they went to descend into detail, they would act contrary to the opinions of all the great authorities who had treated of the subject, and that, in specifying particular cases, an open would be given to the clergy to argue, that an infinity of cases which are of daily occurrence, and which imperiously require the interposition of the royal authority, were not comprised therein." The cases of abuse cannot therefore be more defined than they are in the organic law of 1802, which notices "the usurpation or the improper use of power, the contravention of the laws and regulations of the state; the infraction of the rules, consecrated by the canons received in France, the attempts against the liberties, franchises, and customs of the Gallican Church, and every undertaking or proceeding which, in the exercise of public worship, may

“compromise the honor of the citizens, arbitrarily interfere with their consciences, or degenerate against them into oppression, wrong, or public scandal.” It was nearly in the same terms Pithou had drawn up the 79th article of our liberties. “Fourthly, by certain appeals as of abuse, which our ancestors explained to be, when there is an assumption of authority, or an attack upon the holy decrees and canons received in this kingdom ; on the rights, franchises, liberties and privileges of the Gallican Church ; the concordats, edicts, and ordinances of the king, arrets of Parliament, in short, not only against whatever is of divine, common, or natural right, but also against the prerogatives of this kingdom and of its church.”

5. The court of Rome disapproved also of the articles which declared, that the catholic worship should be exercised under the direction of the archbishops, bishops and curates, and that every privilege conferring exemption or attribution of episcopal authority should remain abolished. The pope wished to be universal bishop, the direct pastor of every diocese and every parish. He was not afraid to propose the re-establishment of these privileges, of these injurious exemptions which have been, according to Fleury,⁽¹⁾ but a source of division in the church.

(1) See Appendix. E. E.

6. The holy father maintained that, no monastic order could have been suppressed in France without the concurrence of the Holy See, and he opposed this incomprehensible pretension to the article which pronounces the establishments of this description for ever abolished in the French empire. That it may belong to the ecclesiastical power to institute a religious order *in the Church*, such opinion may be supported : but surely it is by the temporal authority, and by it alone, that such order can exist in the State ; and, if it could be supported in defiance thereof, the state itself must truly cease to exist. Furthermore, the article in question rather states a circumstance than a legislative enactment, since monastic orders had been, for ten years past, extinct in France.

Finally, Pius VII. opposed with all his powers the teaching of the Four Articles of 1682, ordered by one of the enactments of the organic law of the concordat ; and this last 'reclamation' was that which was most earnestly insisted on in the name of the holy father : he renewed it himself on every occasion, when circumstances seemed to favour the abolition or discrediting of these Four Articles.

During his stay at Paris, he particularly solicited two things : the re-union of Romagna with the States of the Holy See, and the retraction of the Maxims proclaimed by the Clergy of France in 1682. In order to obtain this second point, he was provided with the letter written by

Louis XIV. in 1693 to Innocent XII,⁽¹⁾ and he seemed not to doubt at all of success. He hoped that in re-entering Rome he could proclaim himself the legislator of the Gallican Church, the only and infallible oracle of the church universal, the superior of councils, and the sovereign of kings. For, such were the titles which the declaration of 1682 denied him : he wished to have it abrogated in order to re-assume them.

Not having obtained either Romagna, or the abolition of the Four Articles, the pope consoled himself by a public protestation against the support of these maxims. On returning to Rome, he pronounced on the 26th of June a speech, in which, after having rendered to the Emperor of the French his merited acknowledgments,⁽²⁾ he ran into a digression altogether remote from the subject of his discourse, but which contained, in a flimsy envelope, a positive condemnation of the doctrines of 1682. In fine, he bestowed a long eulogy on the pretended amendment of a bishop who had submitted, as said the pope, not only to the decrees which emanated from the Apostolic See, against the errors of Baius, of Jansenius and of Quesnel,⁽³⁾ but, above all, to the dogmatic bull 'Auctorem Fidei,' which condemned eighty-five propositions of the council of Pistoia. His holiness particularly praised

1) Pages 137, 138. (2) Appendix. F F. 3, Appendix. G. G

this bishop, because he disapproved all the propositions, and each of them under the qualifications and in the sense expressed by said bull. (1)

Now, it is known that one of the condemnations contained in the bull 'Auctorem Fidei,' is levelled at the approbations given by the council of Pistoia to the Four Articles of the French clergy. (2) It was thus that confirming in all its terror a decree of Pius VI. without an explication of its details, Pius VII. proscribed, at his ease, the maxims of this Gallican Church, in the bosom of which he had just experienced so honorable a reception. We may here remark a specimen of the artifices familiar to the court of Rome: ab uno disce omnes.

What shall we say, was it indeed possible that this court, in 1805, dreamed still of replacing all sovereigns and churches under its authority, in omnimoda subjectione? If it dreamed to do so, we shall learn it from itself; we shall see in the instructions it conveyed to its nuncios, what it thought of its *rights*, and of the *very holy maxims* of Hildebrand.

There are some ecclesiastical possessions in Germany, given as indemnities to protestant princes; which the Holy See did not wish should be disposed of without its authority, and of which, in particular, it could not bear they should make such an appli-

(1) See Appendix: H. H. (2) See pages 154, 155 and 156.

cation. It was the subject of many writings expedited from Rome in 1803, 1804, and 1805, and particularly of instructions to the nuncio resident at Vienna, in which, among other very strange details,⁽¹⁾ we read what follows :

“ The church has not only endeavoured to prevent heretics from possessing themselves of the ecclesiastical possessions, but she has besides decreed, under pain of the crime of heresy, the confiscation and loss of the property of those who render themselves guilty. This punishment is decreed, as to what respects the possessions of individuals, by a bull of Innocent III. and as respects principalities and fiefs, it is one of the rules of the canon law, chap. Absolutos 16, de Hæreticis, that the subjects of an heretical prince became freed from all allegiance to him, dispensed from all fidelity, from all homage. Little as we may be versed in history, we cannot be ignorant of the sentences of deposition pronounced by the pontiffs, and by the councils against princes who obstinately persisted in heresy. In truth, we are fallen upon times so calamitous, and of such great humiliation for the spouse of Jesus Christ, that it is not possible for her to practice nor expedient to revive such ‘ holy maxims,’ and she is compelled to suspend the execution

(1) See Appendix I. I.

“ of her ‘just severity’ against the enemies of the
 “ faith. But if she cannot exercise her right to
 “ dispose of their principalities, and to declare the
 “ partisans of heresy deprived of their possessions,
 “ could she ever permit that, to enrich them, she
 “ should be spoiled of her own domains....What a
 “ matter for derision would she not offer to the
 “ heretics themselves, and to infidels, who, in
 “ mocking her affliction, would say, that they
 “ at least had found the means of rendering her
 “ tolerant !” (1)

“ Such then, in 1805, were the conduct and the principles of the court of Rome : she does not publish a new bull against the court of France ; but she confirms a bull of 1794, in which they are anathematized : she does not proclaim *a right* to depose sovereigns, to strip them of their possessions, to free the people from their allegiance : yet, far from renouncing these powers, she cherishes the remembrance of them, and laments the conjunctures which forbid for awhile their application. Let different conjunctures present themselves, and you shall see what she will do to place herself secure from every suspicion of tolerance.

This year 1805 is extremely memorable in the history of the pontificate of Pius VII. It was then, that, in order to revenge himself for the refusal

(1) See Appendix K. K.

given to him in France abrogate the Four Articles, he refused in his turn to fortify his citadel of Ancona, and to place an obstacle in the way of the invasions of the English and Neapolitans. It mattered little to him, that his own states should become the theatre of war : we were forced to defend them in spite of him ; and when we protected them, respecting his interior administration of them, he complained as though we had invaded them. He receives the agents of England and of Naples ; he permits the minister Aston, the most bitter enemy of France, to establish at Rome the centre of his intrigues ; he confides to the murderer of Duphot the police of the city, and levies on the Romans extraordinary imposts, which he represents as occasioned by the residence of the French army, while, in fact, all the expenses of this army were defrayed by the imperial treasury.

In vain, at divers times, the French government has been ready to secure to Pius VII. the preservation of his states, if he consented to contribute to the general security of Italy, in closing his ports to the English : his obstinate refusals disconcerted the system of kindness, which it had determined to pursue in respect to him. His ingratitude has been displayed in many documents signed by him, and particularly in a long letter, written entirely with his own hand, and addressed, the 30th of August 1806, to Cardinal Caprara. Already he had ceased to re-

member, that it was 'after God' to the emperor of the French he owed his chief gratitude. For the rest, he knew so little of the situation of European affairs, that he feared not to claim over the kingdom of Naples the rights of sovereignty ; at this price, he had not hesitated to recognize the new king of the Two Sicilies : but he pretended that he alone could decree this crown, and that to him homage must be done for it ; in a word, he consented to take for his vassal the brother of the most powerful sovereign in the world. There is the kingdom of Naples, said he, and I will give it to you if you become my servant : *Tibi dabo si, cadens adoraveris me.*

The new efforts which were made in 1807, in order to remove such blindness, produced only the journey of the cardinal de Bayane, from Rome to Paris. He came in quality of a negociator, and, one had reason to suppose, invested with full powers. But, after useless conferences, it was too evident he had not authority to conclude any thing, and that his mission had no other end than to gain time, that is to say, to waste it. Far from giving to the cardinal de Bayane sufficient powers, the holy father recalled those which cardinal Caprara exercised in France in quality of legate a latere. The French bishops, who until then had obtained ready replies from the legate, saw themselves obliged to keep up a direct correspondence with the court of Rome, the tediousness of which produced, in the

spiritual administration of the dioceses, a train of inconveniences and embarrassments. The question related particularly to the power of granting certain dispensations, a power without doubt inherent in the episcopacy, and which the bishops of the first ages had immediately exercised, but which, in the midst of the darkness of the middle ages, the court of Rome had found the secret of reserving to herself.—Unhappily these difficulties had not been foreseen in the concordat of 1802 ; and even in 1807, during the legation of cardinal Caprara, they had not been felt. When, however, there was no longer a legate, the bishops addressed themselves to the pope, and demanded of him powers as extended as circumstances required ; they supplicated him not to refuse them the power of adequately fulfilling their duties. It was the subject at Rome, of numerous discussions, of consultations and tedious writings, which could have had nothing in them surprising to us in the thirteenth century, but which seem altogether irreconcilable with the information of the nineteenth. The only article worthy of observation in the midst of this stuff is that which relates to marriages. We here behold the obstinacy of the court of Rome, in regarding as null the civil contract, published by the magistrate conformable to the provisions of the code Napoleon ; and in pretending, that no real or valid marriage can exist

without the intervention of a priest, a folly disowned alike by sound theology and by plain good sense.

Notwithstanding, in proportion as the code Napoleon was introducing into the different countries of Europe, the court of Rome dispatched every where pretended instructions, which presented only the developement of the antisocial and immoral doctrine which has been spoken of. Here are some specimens of the 'instruction' destined in 1808, for Poland, where, by a public decree, they had reconciled the execution of the civil law with the sacramental benediction of the married :

(1) " Such a transaction, proposed by a catholic
 " prelate to a royal minister on so sacred a subject,
 " considered in its principles, in its consequences, in
 " all its tenor, leads directly to the result which modern
 " sectaries propose to themselves, to wit, to
 " cause the catholics, their bishops, the pope himself
 " to avow, that the power to govern men is indivisible.
 " On the part of a catholic bishop,
 " to recognize in catholic marriages the publications
 " of the civil powers, civil contracts, civil divorces,
 " civil decisions prescribed by a civil law, is to grant
 " to the prince a power over the ecclesiastical discipline :
 " it is to admit that he can alter the rites, derogate
 " from the canons, violate ecclesiastical liberty

(1) See Appendix L. L.

" and disturb consciences ; that he has, consequent-
 " ly, an absolute authority over things and causes
 " purely ecclesiastical, essentially privileged by and
 " dependent on the power of the keys : that is to
 " say, that he can put his hand to the censer and
 " cause his laws to prevail over those of the church.
 " Either it was necessary to dissemble and toler-
 " ate a license imposed by an irresistible force, or, if
 " desirous of arguing on, and entering into the mat-
 " ter, it was necessary that the bishop should make
 " known to the king's minister, that the provisions of
 " the code, relative to marriage, could be applied to
 " catholic marriages in a catholic country.
 " If we peruse the history of nations, we will not
 " find there a single instance of a catholic prince im-
 " posing on his subjects, or suffering to be imposed
 " upon them, the obligation to publish and declare
 " their marriage in the commune, or to discuss the
 " authority or validity of it before a justice of the peace.
 " A wide field would be opened to the bishop to de-
 " monstrate to the royal minister, that in a country
 " where the catholic religion is that of the state, in a
 " country governed by a catholic prince, the laws of
 " the code relative to marriage cannot be applied to
 " catholics, without great scandal, neither can the
 " observation of them be exacted from them ; that it
 " would be an unheard of attempt, an open insur-
 " rection against the laws of the church, a novelty
 " leading to error and schism. If these

“ pastoral remonstrances proved useless, it would
 “ only then remain for the bishops to resign their
 “ cause into the hands of God and of the church,
 “ and to instruct faithfully the flock confided to
 “ their care.....

“ Firstly, That it is not a marriage, if it is not
 “ contracted in the forms which the church has
 “ established to render it valid: 2dly, That the
 “ marriage once contracted, according to the forms
 “ established by the church, no power on earth can
 “ break the tie: 3dly, That it remains indissoluble
 “ even in case of adultery and all the inconveniences
 “ of cohabitation: 4thly, That, in the case of
 “ doubtful marriage, it belongs to the church alone
 “ to judge of its validity or invalidity, in such sort
 “ that every judgment derived from any other
 “ power whatever is incompetent and incapable to
 “ authorise a divorce and render it lawful: 5thly,
 “ That a marriage to which no canonical hindrance
 “ is opposed is good, valid, and consequently indis-
 “ soluble, whatever may be the bar which the
 “ laical power unduly opposes to it without the
 “ consent and approbation of the universal church,
 “ or of its supreme head the Roman pontiff: 6thly,
 “ That, on the contrary, every marriage contracted
 “ in defiance of a canonical hindrance and absolute
 “ disqualification, improperly abrogated by the sove-
 “ reign, ought to be held as void and altogether a
 “ nullity; and that every catholic ought in con-

“ science to consider such marriage null, until it
 “ shall be rendered valid by a legitimate dispensa-
 “ tion granted by the church, provided that the hin-
 “ drance which renders it null be susceptible of a
 “ dispensation.”

The bishop of Warsaw said that the provisions of the Code Napoleon, relative to marriages, presented no difficulties; that they ordained nothing contrary to the laws of God or of the church, and that consequently every person was bound to conform himself to them. ⁽¹⁾ To this judicious observation the court of Rome replied in these words :

(2) “ What ! it is not an article opposed to the
 “ laws of God and of the church which declares,
 “ that those divorced cannot be re-united, and which
 “ comprises in the number of the divorced those
 “ the very divorce of whom offends the laws of the
 “ church and of God ! It is not a provision contrary
 “ to the laws of God and of the church, that which
 “ authorises the marriage of a young man under
 “ sixteen, and of a girl under fifteen years of age,
 “ even exclusive of those extraordinary cases in
 “ which the marriage could become, for persons of
 “ this age, a necessary remedy and an indispensable
 “ obligation ! It is not a maxim opposed to the
 “ laws of the church and of God, that which re-
 “ serves to the government the power of dispensing

(1) See Appendix M. M.

(2) See Appendix N. N.

“ with the absolute obstacle resulting from the affinity of the second to the first degree ! And to say all in one, it is not to offend God and the church, to make laws which subvert ecclesiastical discipline in so tender a matter !”

The court of Rome subsequently declares that it is an error to regard marriage as a civil contract, especially, since under the evangelical law it has been elevated to the dignity of a sacrament, and has thereby become a sacred thing, and independent, as to both its nature and validity, of profane laws. ... And it is so true, adds the court of Rome, it is so true, that the nature, the validity of marriage, especially under the evangelical law, is independent of any contract established by the civil law, that the council of Trent has declared null, both as respects the sacrament and as respects the contract, every marriage contracted without the solemn forms which it prescribes : which the council could not have done, if the marriage included in its nature two contracts so distinct as is pretended, two contracts which would depend on two distinct powers, the one a civil one and dependent on the civil laws for its validity, the other religious and dependent on the laws of the church.” (1)

The compiler of this ultramontane document

(1) See Appendix O.O.

knows not in what consists the rational doctrine against which he declaims; for it is not at all pretended that there are two contracts in marriage; there is but one alone, and which is not, and can never be other than a civil contract. The sacramental benediction which the married go to receive in church, is not to affect a contract; it contributes like all the other sacraments to the sanctification of those who are worthy of receiving it. It cannot be too often repeated also, that the decrees of discipline which emanated from the council of Trent have never had the force of laws in France, and that one of the principal motives which existed for not permitting their publication, consisted in the impossibility of authorising the legislation of this council relative to marriages. For example, it declares valid the marriages of infants, minors, without the knowledge of their parents, a regulation which cannot be admitted into a state wisely governed. On this subject the question reduces itself to the consideration, whether, because the nuptial benediction is a sacrament, sovereigns ought to abandon to priests all the portion of civil jurisprudence which concerns marriage.

We shall not be at all surprised, that a court which, in 1808, continued in such palpable errors, should cease to continue among the number of European Governments. In vain was the pope advertised, that in refusing to enter into the combination against England, he would occasion certain parts of

the pontifical states to be united to the kingdom of Italy or the empire of France ; he replied, that being the common father of all the faithful, he could not declare against the English, and that in his quality as successor of the prince of the apostles he had received from God a sovereign power over all parts of the terrestrial globe. It became, therefore, indispensably necessary to take possession of the territories of Urbino, Ancona, Macerata and Camerino, which, since the month of April 1808, make in effect a part of the kingdom of Italy. Pius VII. published a protest, in which, taking the title of pastor of the universal church,⁽¹⁾ he maintained, as a notorious fact, that even before the reign of Pepin, these domains had appertained to the church of Rome, and that the father of Charlemagne had only restored them to the sovereign pontiff.⁽²⁾ We shall not recite even a fragment of the secret instructions addressed by Pius VII. to the bishops, the 22d and 29th of May ; the warm resentment which dictated must serve to excuse the inconsiderate and unchristian-like expressions which are met with at every line ; one may well believe such writings were penned without premeditation.

But it was at this period the holy father adopted a resolution, from which he has not deviated, to abuse his episcopal function in order to support his temporal pretensions.

(1) See Appendix P. P.

(2) See Appendix Q. Q.

It was the practice to attach to each bull of canonical investiture a bull directed to the sovereign, imploring his protection on behalf of the new prelate. Pius VII. who until now had conformed to this custom, dispensed with it in the month of July 1808, in investing a bishop of Troyes ; but his majesty, superior to so puerile an insult, suffered no notice to be taken of this pontifical incivility, and directed the bishop to be put in possession.

A decree of the 21st of November, 1808, having created the department of Tarn and Garonne, and appointed Montauban for its capital, it was proposed to erect it into a bishoprick, to which erection his Holiness was solicited to put his hand. What did the pope do ? He publishes a bull in which, of his own motion, from the plenitude of his apostolic power, having seen the request of the inhabitants and the consent of the bishops of Toulouse, Cahors, and Agen, and not in consequence of the imperial decree, he created in the empire a new bishopric, repeating seven times, that it was he who erected it, ‘*per nos, ut præfertur, erecta,*’ and citing we know not what decretal of Boniface VIII. whom he termed his predecessor of happy memory ‘*felicis recordationis.*’ The indecency of some fretful expressions, which filled the first lines of this bull, had been easily pardoned ; but it was in itself too irreconcilable with the maxims of the church of France, for the publication of it to be tolerated.

Every one knows, that according to the articles 4 and 5 of the concordat of 1802, the pope was never to give canonical investitures, but in consequence of nominations made by the emperor : thus, even in 1808, these nominations had always been mentioned in the bulls of investiture. But the 13th of April, 1809, the holy father expedited, for the archbishop of Malines, a bull, which, as it did not make such mention, seemed rather to nominate than invest this metropolitan. His Majesty, whom war and victory occupied in Germany, was there informed of this novel attempt; and, to cut short such contemptible squabbles, declared, by a note dated from the camp of Schonbrunn, that he was satisfied not to be even named in the bulls of investiture, on condition, that in future the demand of these bulls should be signed by his minister only and not by himself. It is afflicting to think that this extreme moderation of a victorious sovereign seemed only to embolden the court of Rome in its system of discord and usurpation: but the holy father notwithstanding did not seize this opportunity of increasing his prerogative, this unhopèd for occasion of escaping from an unequal contest; and since this period, in spite of the solicitations of many cardinals, and of twenty prelates, he has obstinately continued to refuse canonical investiture to all the newly nominated bishops in France. Already, for many years past, he has acted in the same manner with

regard to Germany, where he has nearly succeeded in extinguishing episcopacy : because they have ceded some possessions, once ecclesiastical, to Protestant princes, whom it was necessary to indemnify, he wishes the catholic churches to remain deprived of their pastors ; a strange manner of revenging one's self for a pope.

When such was the political conduct of Pius VII. together with his connivance with the enemies of Italy ; when he abused to such a degree his spiritual authority ; it became impossible for the emperor longer to prohibit the French army from entering the city of Rome. In consenting to this measure, in the month of May 1809, his majesty omitted nothing that could tend to secure and even increase the revenues of the Holy See : it depended on the pope alone to continue to be the first pastor of the church, and even one of the temporal princes of Europe. But the pope immediately assumed the attitude of a dispossessed sovereign ; he caused the avenues of his palace to be barricadoed, and revoked himself all the civil powers, which the magistrates appointed by him exercised in his name. Apparently, he desired not only to dispense them from the maintenance of public tranquillity, but even to excite them to disturb it.

Of all the circumstances of this period, the least important in every respect, is a bull of the 10th of June, by which the holy father pretended to exclude

the subjects of his majesty from the bosom of the catholic church, over which he would no longer preside. Europe has not condescended to pay the least attention to this anathema; and it has not been noticed even in Rome, where, however, some seditious persons took the trouble to affix it to the doors of the three principal churches. It appears that the bull of the 10th of June would have been solemnly proclaimed on the 29th, the day sacred to St. Peter, if the project had not been discovered, and if the respect due to the prince of the apostles and the august temple which bears his name had not prevented so scandalous a ceremony. Much more serious attempts were however made, and there was not time to await the orders of his majesty, in order to arrest their progress. The pope left Rome the 6th of July, and went to Savona, where he was received with all the magnificence a prince could claim; for such he still was, and no person but himself had condemned him no longer to fulfil its functions.

However, it was not proper that the nominations made by the emperor conformable to the concordat, should remain without effect. He might, as formerly under Henry III. under Henry IV. even under Louis XIII. have immediately put in possession the prelates whom the pope so long deferred to invest: he preferred, as under Louis XIV. to permit them to govern their dioceses with the title of vicars

general, or of administrators named by the chapters. Innocent XI. Alexander VIII. and Innocent XII. had tacitly approved of this provisional arrangement; of which the king alone, in fact, would have had a right to complain, as it seemed to derogate from the royal prerogative.

Truth obliges us to avow that the chapters are modern establishments, the rights of which ascend up to the middle ages only ; but the Court of Rome itself invokes and recommends the ecclesiastical rules, which in the course of the latter ages, have established, maintained, and extended the jurisdiction of the cathedral chapters. We might, then, have expected that Pius VII. after the example of his predecessors, would have refrained from all claims hostile to the conciliating system which the Emperor had condescended to accede to. We were again disappointed in this hope ; and it remains for us to relate, how the cardinal di Pietro, the oracle of the pope, endeavoured, during the whole of the year 1810, to disturb the repose of the churches of the empire. Secret powers, to be exercised in Rome, had been entrusted to this cardinal, who, in departing from this city, transferred them to Gregory and to Sala, who misapplied them like himself. It was by the care of these three persons and their correspondents, that a collection of libels and of falsehoods was printed in Italy, and reprinted at Lyons, and distributed in the dark to some credulous readers. But the

manœuvres of the cardinal became more and more active after the *senatus consultum* of the 17th of Feb. 1810, which, fulfilling the wishes of Italy, of Europe, and of the church, finally abolished the temporal power of the Roman pontiff.

This *senatus consultum* abolished only disorders and scandals : in delivering the popes from terrestrial cares, which the Gospel had interdicted them, it fully preserved to them the means of being venerable pontiffs, and of filling with splendor the chair of that first apostle, who reigned not, nor thought of reigning, and whose successors during eight centuries, had not been princes of this world. But Pius VII. wished so to be, the cardinal di Pietro wished him the same, and it seemed to them that the most efficacious means of recovering this throne was, to produce a schism in the bosom of the Gallican church, or at least to inspire the Government with apprehensions of such an event.

This enterprize not only did not succeed, but the effects of so many measures did not begin to be perceivable until the end of the year 1810, after the nomination of a new archbishop of Paris. Invested by the chapter with the same powers which had been previously conferred on S. A. E. cardinal Fesch the new metropolitan received an epistle from the pope which declared them null, and which implied even that cardinal Fesch had acknowledged their insufficiency ; on which matter the holy father has since

been formally contradicted by this prelate. But a dispatch much more remarkable is that which the cardinal di Pietro addressed to his Holiness the 11th Nov. for the purpose of tracing out to him the line of conduct he should henceforward pursue. Its principal object was to oppose to the bishops, nominated by the Emperor and sanctioned by the chapters, vicars apostolic, who would thus raise altar against altar. It was to obtain this end, that the cardinal sent to the pope models of briefs, which he presented to him, to send to the bishops, to the chapters, and to the vicars who were to be the instruments of the schism. Pius VII. on the 30th of November, returned to the cardinal di Pietro acknowledgments for his lessons, set about transcribing the formulas we have just noticed, and addressed them to the canons of Florence, of Asti, and of Paris. Do these briefs make mention of the concordat of 1802, or even that of 1515? By no means: they cite, on the contrary, bulls of Julius III. of Clement VII. of Julius II. of Alexander V. and even a decretal of Boniface VIII. of blessed memory, inserted, they say in the collection of "Extravagants." This is, as we have stated,⁽¹⁾ the name of one of the canonical compilations which the popes published in the course of the middle ages, and the authority of which the church of France has never recognized. Such are the texts which

the pope quotes for the purpose of converting himself into an universal bishop, and in order to pretend that the dioceses of France ought to be governed by vicars who derive all their powers from him. It was requisite even that these vicars, in exercising those powers, should at all times be careful to indicate their character and origin: it was necessary that they should expressly designate themselves, delegates of the Holy See.⁽¹⁾ We dare assert, that there is not in the annals of the Gallican Church any era in which she would have tolerated such a 'regime,' and we do not think that Hildebrand himself would have dared to propose so unheard of a regulation.

In addressing the decretal of the cardinal di Pietro to the canons of Florence, his Holiness set forth, that he had been consulted by the chapter of this church; but all the canons who composed it deny the hypothesis, and are, besides, united in upholding in the functions of administrator the archbishop nominated by his Majesty.

The Holy Father's experiment on the chapter of Asti had no better success: and in that of Paris, there was but one solitary canon met with who had lent an ear to such deplorable suggestions. In truth, there was found with this canon a manuscript libel against the bishops;⁽²⁾ but this libel displayed such

(1) See Appendix R. R.

(2) Intituled: 'Of the Nominated Bishops, and of their envoy to the Vacant Churches to take possession of them.'

profound ignorance of ecclesiastical history, it proclaimed such a contempt of all propriety and of all laws, it was so grossly seditious, that its publication had been much more useless than dangerous. The author stated in direct terms, 'that it was commanded him to disturb the peace of his fellow citizens;' and to realize this edifying mission, he gives as far as in him lies the signal of schism, by declaring schismatics, both the bishop named by the Emperor, the chapters which received them, and whoever acknowledged in them any spiritual authority.

The cardinal di Pietro resided at Semur; it was from thence he expedited his orders, as well to Savona, as to the west and the north of France. His emissaries exhausted themselves in vain endeavour to organize everywhere a sect of pretended *pure Catholics*,⁽¹⁾ who were to withdraw themselves from the authority of the bishops and capitulary administrators, and listen to none but the apostolic vicars. But so many commotions tended only to disturb the minds of some idle or neglected females, and of some young seminarists. The influence of the cardinal di Pietro was not in the slightest degree perceptible, save in a small number of disreputable boarding houses.

We omit many other wretched details, which

(1) Appendix S. S.

would be altogether unworthy of the public attention : those on which we have entered suffice to demonstrate what we advanced, to wit, that since the year 1800 down to the end of 1810, the maxims of the court of Rome have not ceased to be those of Gregory VII. of Innocent III. and of Boniface VIII. of '*blessed memory*.' This indeed is the conclusion which results from the 'reclamations,' against the organic law of the concordat, against the maxims of the Gallican Church, above all, against the four articles of 1682 ; from the actual renewal of all the anathemas launched against these same articles ; from the instructions relative to the possessions ceded in Germany to the Protestant princes ; from the instructions concerning marriages, and which reprobate the Napoleon code ; from the writing, in which Pius VII. maintains, that even before the time of Pepin there existed a court of Rome, which had domains and subjects ; from the bull, in which he creates, of his own proper authority, a bishoprick in France ; from the canonical investitures granted to French bishops, without any mention of their nomination by the emperor ; from the bull of excommunication of 10th of June 1809 ; finally, from the briefs digested by the cardinal di Pietro, for the purpose of substituting vicars apostolic in place of the legitimate pastors. What language do all these documents speak, if not, that the pope can dispossess and depose kings, annul civil laws, subvert the rules

of the church, and govern directly, or cause to be governed at his will, each particular diocese; that he is, that he ought to be, not only a temporal prince, but the dictator and sovereign of all princes, and the universal bishop of all Christendom? Yes! if the twenty-seven propositions of Hildebrand were for ever lost,⁽¹⁾ they would all be found safe in the acts of Pius VII. ! and this circumstance has nothing in it astonishing to those who have studied the history of the court of Rome. This court, as long as it shall exist, will have no other maxims; she can hardly dissemble with respect to them at the times even which most peculiarly claim this circumspection: and she will yet be seen to take advantage of all the circumstances which may permit her, to support them by thundering anathemas, wars, revolutions, and unlimited proscriptions. The only efficacious guarantees, against this species of public calamities, consist, in the absolute extinction of the temporal sovereignty of the popes, and in the strict limitation of their spiritual authority, to a conformity with the rules, practice and doctrine, of the seven first centuries of the church.

(1) See pages 77, 78.

APPENDIX.

APPENDIX to Vol. I.

NOTE A, PAGE 266.

Sanctitas tua probè noverat principium horum malorum inde fuisse, quòd nonnulli pontifices tui prædecessores, prurientes auribus, ut inquit apostolus Paulus, coacervaverunt magistros ad desideria sua, non ut ab his discerent quòd facere deberent, sed eorum studio et calliditate inveniretur ratio quâ liceret id quod liberet. Inde effectum est, præterquam quòd principatum omnem sequitur adulatio, ut umbra corpus, difficillimusque semper fuit aditus veritatis ad aures principum, quòd confestim prodirent doctores qui docerent pontificem esse dominum omnium beneficiorum, et ideò, cùm dominus jure vendat quod suum est, necessariò sequi in pontificem non posse cadere simoniam, ita quòd voluntas pontificis, qualiscumque ea fuerit, sit regula quâ ejus operationes et actiones dirigantur; ex quo procul dubio efficitur ut quidquid libeat etiam liceat. Ex hoc fonte, tanquam ex equo Trojano, irrupere in ecclesiam Dei tot abus. *Concil. delector. cardin. de emendandâ ecclesiâ.*

NOTE B, PAGE 341.

, Plusieurs auteurs placent sous le pontificat d'Alexandre III. (1169-1181) l'origine de cette prétention des papes.

“ Il est aisé de conjecturer, ajoutent-ils, que les métropo-
“ litains d’Allemagne, et sur-tout ceux qui sont en même
“ temps Electeurs de l’empire, ont souffert fort impatiemment
“ cette grande diminution de leurs droits, au sujet de la con-
“ firmation des évêques nouveaux, élus dans leurs provinces
“ respectives ; et les griefs dressés à Constance, sous l’em-
“ pereur Sigismond, par les députés des provinces de la nation
“ Allemande, et portés ensuite au concile de Constance par
“ des députés de la même nation, comme le rapporte Goldast,
“ nous l’apprennent clairement. Voici ce qu’on lit au chapitre
“ troisième : Toutes les fois qu’il conviendra de faire des élec-
“ tions, après qu’elles seront faites, qu’elles soient examinées
“ selon la forme du droit par les supérieurs immédiats, et si
“ on les trouve canoniques, qu’elles soient confirmées ; et qu’il
“ ne soit permis, en aucune manière, au souverain pontife,
“ d’attenter la moindre chose qui puisse y être contraire, à
“ moins que les élus ne lui soient immédiatement soumis,
“ auquel cas il pourra leur intimer ses défenses ; ou à moins
“ qu’il n’arrive qu’on ait agi en quelque façon contre les for-
“ mes du droit ; pour lors, comme il est tenu à l’observance
“ du droit, de même il lui est permis, en remarquant ce qui
“ aurait été fait ou tenté contres les lois, de le réformer, et
“ même de corriger et de punir les transgresseurs. Nous
“ avons déjà établi ci-dessus que ce dernier pouvoir appar-
“ tient au souverain pontife de droit commun. Quoique le
“ concile de Constance, dans la xxxvi. session, pour empêcher
“ que la paix de l’église ne fût troublée, ait ratifié les confirma-
“ tions d’évêchés faites par les papes qu’il déposa bientôt
“ après, et qu’il ait ordonné d’expédier et de signer en son
“ nom les bulles qui n’avaient point encore été données aux
“ évêques qui avaient abdicqué, ou qui étaient chassés de leur
“ siège, il a néanmoins pensé sérieusement, dans le même
“ temps, à réduire les confirmations d’évêques aux termes de
“ l’ancien droit, puisque dans le décret de la xl. session, par
“ lequel il prescrivit au pape qui devait être élu, par manière

“ d'avertissemens salutaires, beaucoup de points de la plus
“ grande importance, auxquels dans la suite il devait donner
“ encore une meilleure forme, il inséra, dans le cinquième
“ article, celui de la confirmation des élections. Mais ce que
“ le concile de Constance a seulement prémédité, nous savons
“ que le concile de Bâle l'a fait plus efficacement : car, après
“ avoir retranché les réserves, tant générales que particulières,
“ il permet seulement que, dans le cas où l'église ou la ré-
“ publique pourrait souffrir quelque dommage, on puisse re-
“ courir au souverain pontife, pour la confirmation des élec-
“ tions canoniques ; ajoutant que, si Rome refusait la confir-
“ mation, la nouvelle élection serait dévolue au chapitre. Au
“ reste, il ordonne clairement, que les élections se fassent sans
“ aucun empêchement ; qu'elles soient confirmées avec con-
“ naissance de cause, selon la disposition du droit commun.
“ Les griefs de Mayence, faits après le concile de Bâle, l'an
“ 1440, et rapportés dans Senckemberg sous le nom de projet
“ de concordat, sont entièrement conformes à ces plaintes ; ils
“ développent le sens de ces mots, *selon la disposition du droit*
“ *commun*, lorsqu'ils assurent que, selon la règle du droit com-
“ mun, le droit de confirmer les élections doit être restitué au
“ supérieur immédiat : l'élection étant faite, disent ils, le
“ décret d'élection doit être présenté au supérieur immédiat,
“ auquel appartient le droit de confirmer ; ce supérieur doit,
“ dans cette affaire, examiner avec soin la forme de l'élection,
“ le mérite de l'élu, ainsi que toutes les circonstances ; de
“ façon que, si l'élection doit être confirmée, elle doit l'être
“ judiciairement. Les pères du synode diocésain de Frisingue
“ en Bavière ont adopté, en la même année 1440, ces projets
“ des Etats de l'Empire, &c.
“ Quelques auteurs Français ont remarqué comment les dis-
“ sensions notoires et publiques entre le pape Innocent XI et
“ le roi Louis XIV avaient semblé prêter une occasion favor-
“ able pour rétablir l'ancienne discipline, et pour retrancher
“ cette onéreuse subordination que traîne après soi l'obligation

“ de demander et d'obtenir des bulles pontificales pour des
 “ bénéfices consistoriaux. Par là, non-seulement il resterait,
 “ dans les royaumes, des sommes immenses d'argent, qu'on
 “ envoie tous les ans à Rome ; mais les évêques rentreraient
 “ dans leurs anciens droits, et le clergé, tant régulier que sé-
 “ culier, en serait mieux réglé.”—*Du gouvernement de l'Eglise.*
 “ trad. du latin de Febronius, tom. I. c. 4. § 8.

NOTE C, PAGE 345.

“ Le rétablissement des métropolitains dans leurs an-
 “ ciens droits, dit M. l'évêque de Novare, donne les moyens
 “ de pourvoir, sans aucun retard préjudiciable, les églises va-
 “ cantes. C'est dans ce but que le fameux concile de Nicée a
 “ attribué aux seuls métropolitains l'ordination des évêques :
 “ tous les conciles postérieurs n'ont jamais voulu reconnaître
 “ pour évêque celui qui n'était point ordonné par décret de
 “ son métropolitain. Les pontifes Romains eux-mêmes ont
 “ soutenu cette doctrine générale de l'église jusqu'en 1051, et
 “ elle a été religieusement observée pendant mille ans et plus.
 “ L'évêque consacré par le métropolitain et par ses suffragans
 “ passait immédiatement au gouvernement de son église, et
 “ était installé par le clergé du siège vacant. L'antiquité ne
 “ connut jamais l'institution canonique ni le serment de fidélité
 “ auxquels les pontifes Romains assujettirent l'épiscopat dans
 “ les derniers temps, et par lesquels ils enchaînèrent ainsi son
 “ pouvoir divin et originel. Tels sont les principes vrais et
 “ invariables ; telle est la doctrine constante et pure de
 “ l'église.” *Adresse de l'évêque de Novare à S. A. I. le prince*
vice-roi d'Italie. Moniteur, 11 février 1811.

M. l'évêque de Forlì professe les mêmes principes. “ Le
 “ pouvoir ordinaire des évêques, dit-il, dérive immédiatement
 “ du Christ.....En quelque lieu que se trouve un évêque, soit
 “ à Rome, à Gubbio, à Constantinople, à Reggio, à Alexandrie
 “ ou à Tani, il a le même caractère et jouit de la même autorité.

“ Tous sont *également* successeurs des apôtres ; ainsi s'ex-
 “ prime saint Jérôme.....Après l'abdication de Nectaire, le
 “ concile d'Ephèse écrivit au clergé de Constantinople de
 “ prendre soin de cette église pour en rendre compte à celui
 “ qui, par la volonté divine, serait ordonné d'après l'ordre de
 “ l'empereur.....Pendant plus de mille ans, on n'a connu
 “ dans l'église ni l'institution canonique, ni le serment de
 “ fidélité au pape ; liens fatals au pouvoir ordinaire épiscopal,
 “ &c.” *Moniteur* du 16 février 1811.

“ Je suis intimement persuadé, dit M. l'évêque de Vérone,
 “ que la juridiction spirituelle qu'un évêque exerce, lui est
 “ confiée immédiatement par Dieu, et qu'il peut être placé sur
 “ son siège par la puissance compétente, en vertu des décrets
 “ canoniques de l'église universelle.....Les évêques ne sont
 “ pas les vicaires des souverains pontifes, mais les véritables
 “ ordinaires de leurs diocèses.....Au concile de Trente,
 “ les évêques les plus doctes défendirent avec force les pré-
 “ rogatives de l'épiscopat.”—*Moniteur* du 1er. mars 1811.

M. Innoc. Liruti, évêque de Vérone, dont nous venons de transcrire les paroles, a publié, il y a environ trente ans, un volume in 4to. intitulé, *De finibus sacerdotii et imperii*, savant et judicieux ouvrage que la cour de Rome s'est empressée de condamner.

1

APPENDIX to Vol. II.

NOTE A, PAGE 41.

Sicchè è troppo verisimile che nacesse in que' tempi (di Stefano III, Adriano I) o lo strumento, o almen l'opinione della donazion di Constantino, et che giovasse questo per indurre Pippino e Carlo M. a concedere l'esarcato al papa. Muratori, Pieno Esposizione dei diritti imperiali ed Estensi sopra la città di Comacchio, l. i. p. 26.

NOTE B, PAGE 41.

Decretum imperiale, scriptum, actum, concessum sacrosanctæ. et catholicæ, apostolicæque Ecclesiæ Romanæ, à beato Constantino, qui primus omnium Imperatorum fuit Christianus.

In nomine sanctæ et individuæ Trinitatis, Patris, et Filii, et Spiritûs sancti, Imperator Cæsâr Flavius Constantinus, in Christo Jesu uno ipsius sanctæ Trinitatis, Salvatore, Domino et Deo nostro, fidelis, tranquillus, beneficus, Alemannicus, Gothicus, Sarmaticus, Germanicus, Britannicus, Huthnicus, pius, felix, victor, triumphator, semper augustus, sanctissimo ac beatissimo patri patrum Silvestro episcopo et papæ magnæ

urbis Romæ, et omnibus ejus successoribus summis pontificibus qui in cathedrâ beati Petri usque ad mundi consummationem sessuri sunt, omnibusque venerandissimis, piis ac catholicis episcopis qui huic sacrosanctæ Romanæ ecclesiæ per hanc imperialem nostram constitutionem subjecti sunt, gratia, pax, dilectio, alacritas, propitiatio, misericordia, ab omnipotenti Deo, et Patre, et Jesu-Christo filio ejus, et Spiritu sancto, cum omnibus nobis. Quæ à redemptore et salvatore nostro Domino Jesu-Christo, qui est filius altissimi Patris, per sanctos apostolos suos Petrum et Paulum, mediatore patre nostro Silvestro summo pontifice et universali papâ, prodigiosè erga nos ex misericordiâ ejus gesta sunt, clarâ enarratione per imperialem hanc nostram scriptionem omni posteritati studuimus tradere ad cognitionem et scientiam omnium toto terrarum orbe populorum, penitus ab intimo corde progrediente nostræ claritatis ac mansuetudinis confessione.

Primum quidem nostram fidem efferimus ac prædicamus, quam à supradicto beatissimo patre et intercessore nostro, Silvestro, universali antistite, edocti sumus ad ædificationem mentis omnium nostrâ; et ineffusam super nos misericordiam denunciamus. Scire enim vos omnes volumus, quemadmodum sacrâ nostrâ superiùs pragmaticâ institutione vobis declaravimus, nos à cultu idolorum mutorum et surdorum et manufactorum, nempe diabolicarum compositionum, et ab omni pompâ satanæ digressos, et ad puram christianorum fidem, quæ vera est et vita æterna, progressos: quemadmodum nos ipse mirificus et supernus pater noster et præceptor Silvester instruxit in Deum patrem omnipotentem, factorem cœli et terræ, visibilium omnium et invisibilium, et in Jesum-Christum filium ejus unigenitum, Dominum nostrum, per quem omnia facta sunt, et in Spiritum sanctum, dominum et vivificatorem omnis creaturæ; docens credere Patrem, Filium, et Spiritum sanctum, sic confiteri, ut in Trinitate perfectâ et plenitudo divinitatis sit, et unitas potestatis. Deus Pater, Deus Filius, Deus Spiritus sanctus, et hi tres unum sunt. Tres igitur personæ, sed una

potestas. Perfectis igitur cœlestibus virtutibus et omnibus terrestribus materiis benigno sapientiæ suæ nutu; cùm primum hominem ex téfreatri limo finxisset ad imaginem et similitudinem suam, hunc in paradiso deliciarum posuit: cui cùm serpens antiquus, hostis diabolus invidisset, amarissimo gustu vetiti ligni exulem ab illâ felici vitâ egit; illoque expulso, non omittit letalibus sagittis, diversis modis, alios jaculari, ut deducat à viâ veritatis humanum genus, et idolorum cultui, nempe creaturæ, non creatori, servire persuadeat omnibus; ut quos possit suis artificijs irretitos æternis suppliciis tradat ex-cruciandos. At Deus, erga suum opificium misericordiâ commotus, missis sanctis prophetis, et per hos lumen vitæ, nempe filium suum Dominum nostrum Salvatorem et Deum Jesum-Christum, annuncians, postea misit etiam ipsum unigenitum suum filium Verbum sapientiæ; qui, descendens de cœlo propter nostram salutem, conceptusque è Spiritu sancto, et ex Mariâ virgine, Verbum caro factum est, et habitavit in nobis, non amittens quod erat, sed incipiens esse quod non erat: Deus perfectus, ut Deus miracula faciens, ut homo passiones humanas preferens. Sic Verbum hominem, et Deum Verbum, hominem et Deum Verbum sentimus documentis patris nostri Silvestri summi pontificis, ut Deus verus et homo verus idem existat, nulloque modo dubitetur. Electis igitur duodecim apostolos, in eorum conspectu et innumerabilium populorum, admirandis prodigijs inclaruit. Confitemur ipsum Dominum nostrum Jesum-Christum adimplevisse leges et prophetias; passum esse et crucifixum secundum Scripturas, tertiâ die à mortuis surrexisse, assumptam esse in cœlum, sedere ad dexteram patris, inde venturum judicare vivos et mortuos, cujus regni non est finis. Hæc est nostra orthodoxa fides à beatissimo papâ nostro Silvestro nobis exposita. Hortamur igitur et monemus omnes populos, variasque hominum nationes, hæc fidem retinere, prædicare, et in nomine sanctæ Trinitatis baptismi gratiam suscipere, et Dominum nostrum et Salvatorem Jesum-Christum, qui cùm Patre et Spiritu sancto in

æterna secula regnat, adorare corde pio, quem beatissimus pater noster Silvester universalis antistes prædicat.

Ipse enim Dominus noster, me peccatorem miseratus, misit sanctos apostolos suos, visitansque nos, lumine claritatis suæ nos circumfudit, abstractosque è tenebris ad veritatis cognitionem dignatus est deducere. Postquàm enim valida turpitudine lepræ omnem corporis mei carnem invasisset, à multisque medicis curatio mihi adhiberetur, quorum studio sanitatem consequi non poteram, in his sacerdotes Capitolio ad me venerunt, oportere dicentes, piscinam in Capitolio fieri, et hanc innocenti calidoque cruore repleri, ubi ablutus expiationem ac nitorem consequeretur. Juxta igitur horum monita, multis innocentibus pueris collectis, volentibusque sceleratis sacerdotibus eos mactare eorumque sanguine replere piscinam, lacrymis matrum nostra serenitas permota est: è vestigio exhorruimus execrandum scelus, easque miserati imperavimus reddi filios, datisque insuper vehiculis ac multis muneribus lætas ad propria domicilia dimissimus. Hâc die exactâ, nocturnâque quiete superveniente somno nobis deditis, adsunt sancti apostoli Petrus et Paulus mihi dicentes: "Quoniam sceleribus imposuisti modum et effusionem innoxii cruoris exhorruisti, ecce à Domino et Deo nostro missi sumus daturi tibi consilium, quo sanitatem recipies. Audi igitur præceptum nostrum et fac quæ te monuerimus. Urbis hujus episcopus Silvester, persecutiones tuas fugiens, in cavernis petrarum cum suis clericis delitecit in monte Soracte. Hunc ad te accersæ, eoque docente disciss veram veritatis piscinam, in quâ cum ter demersus fueris, omnis lepræ deformitas te relinquet. Quo facto, hanc remunerationem compensa salvatori tuo, ut, tuiis imperiis, et ecclesiæ per totum orbem restituantur. Et tu te ipsum in hâc parte emunda, ut, omnem idolorum superstitionem relinquens, solum vivum et verum Deum, qui solus est verus Deus, colas et adores, et ejus adimpleas voluntatem." Experrectus igitur juxta quæ fuerant imperata ab apostolis feci, advocansque eximium et egregium patrem papam, qui nos illuminavit, Sil-

vestrum, omnia quæ mihi mandaverant sancti apostoli et exposui; requisivique ab eo, quinam dii essent Petrus et Paulus nuncupati. Ille dixit eos non appellari verè deos, sed esse apostolos Salvatoris nostri Domini Jesu-Christi. Iterum cœpi rogare beatissimum papam, num quæ clarè horum apostolorum haberentur imagines, si ex picturâ saltem possem eos agnoscere, quos ex visione didiceram. Tunc omnibus modis venerandus ille pater divorum apostolorum imagines afferri per diaconam jussit: quas ego conspicatus, et eorum effigies, quos in somno vidissem, per eas imagines recognoscens, magnâ voce coram satrapis nostris exclamavi, hos esse quos vidissem in somnis. Ad hæc, beatissimus is pater noster Silvester, urbis Romæ episcopus, tempus nobis poenitentiae præscripsit in cilicio intra nostrum palatium Lateranensè, ut omnia à nobis impurè gesta et injustè perpetrata jejuniis, vigiliis, lacrymis et precibus apud Dominum Salvatorem nostrum delerentur. Exindè clericis imponentibus mihi manus, usque ad ipsum summum pontificem perveni: ibique renunciâs pompis satanæ, et operibus ejus, et omnibus manufactis idolis, me credere in unum Deum patrem omnipotentem, creatorem cæli et terræ, visibilium omnium et invisibilium, et in unum Dominum Jesum-Christum, filium Dei unigenitum, Dominum nostrum, conceptum ex Spiritu sancto in Mariâ virgine, spontè in conspectu omnis populi confessus sum. Benedicta piscina illa me ternâ immersione salubris aquæ expiavit. Cùmque essem in sinu piscinæ, manum tangentem me de cælo propriis oculis vidi, at ab eâ mundus exurgens omni lepræ sœditate me mundum cognovi. Extractum autem me ex sacrâ piscinâ, candidis vestibus induerunt. Septiformeque Spiritûs sancti signum indidit, beatæ unctionis contactu signum sanctæ crucis patris meæ fronti impressit, dicens: Signet te Deus sigillo fidei suæ, in nomine Patris et Filii et Spiritûs sancti; omnisque clerus respondit *amen*. Adjecit summus antistes: Pax tibi. Tertiâ igitur die posteaquàm accepissem mysterium divini baptismatis, et post lepræ curationem, cognovi non esse alium Deum

præterquàm Patrem, et Filium, et Spiritum sanctum, quem beatissimus papa Silvester prædicat, Trinitatem in unitate, et unitatem in Trinitate. Omnes enim dii gentium quos olim colebam esse dæmonia, opera manuum hominum, clarè probantur. Ad hæc, quantam auctoritatem ipse Salvator noster apostolo suo beato Petro tribuit in cœlo et in terrâ, apertè nobis ipse eximius pater exposuit, quando, illum fidelem inveniens, in interrogatione dixit: "Tu es Petrus, et super hanc petram ædificabo ecclesiam meam, et portæ inferi non prævalebunt adversus eam." Considerate, principes, et auribus cordis attendite, quid bonus præceptor Dominusque suo discipulo donaverit dicens: "Et dabo tibi claves regni cœlorum; et quod ligaveris super terram, erit ligatum et in cœlis." Verbum stupendum et admirabile! in terrâ ligare et solvere, in cœlis ligatum esse et solutum! His igitur cognitis, beato Silvestro docente, sentiensque beneficio beati Petri corpori meo redditam sanitatem, dignum judicavimus cum omnibus sætrapis nostris ut quemadmodum beatus Petrus in terrâ constitutus est vicarius filii Dei, sic apud nos etiam, qui imperii nostri locum tenebunt principis apostolorum, potestatem quæ data est ipsis majorem habeant eâ quam nostra serenitas in terris habere ubique nocitur. Eligimus enim ipsum apostolorum principem ejusque successores proprios nobis ipsis esse ad Deum patronos. Et quemadmodum nostram in terris imperialem auctoritatem, sic et sacro-sanctam ecclesiam Romanam honorare cum reverentiâ, et sanctissimam beati Petri cathedram magis quàm nostrum imperialem terrenumque thronum gloriôsè extollere debemus, reddentes ipsi auctoritatem gloriæque dignitatem, vim, facultatem atque imperialem honorem. Præterea statuentes decernimus imperium habere super principales quatuor thronos Antiochiæ, Alexandriæ, Constantinopolis et Hierosolymarum, necnon super omnes, quæ in universo terrarum orbe sunt, Dei ecclesias; eumque qui pro tempore ipsius sanctæ Romanæ ecclesiæ pontifex erit, superiorem esse ac principem omniam episcoporum, omniaque quorum oportet curam habere, quæ ad

cultum divinum aut ad confirmationem ac robur fidei christianorum pertinent, hujus judicio atque sententiâ administrari. Justum est enim ibi caput imperii sanctam habere legem, ubi sanctarum legum legislator Salvator noster beatum Petrum constituit apostolicæ ecclesiæ cathedram tenere; ubi, crucis stimulum sustinens, beatæ mortis calicem bibit, præceptoris ac magistri sui factus imitator. Ibi ad finem usque ac perpetuò quærant magistrum ubi sancti magistri corpus requiescit. Ibi gentes pro nominis Christi confessione flectant colla, ubi horum magister beatus apostolus Paulus, pro Christo cervices tendens, coronâ martyrii decoratus est. Ibi proni atque humiliati cœlestis Regis, Deique et Salvatoris nostri Jesu-Christi serviant officio, ubi sublimi terreni reges servierunt auctoritati. Propter quæ omnia, populos omnes totius orbis terrarum scire volumus, quemadmodum nos intra Lateranense palatium nostrum templum ipsi Salvatori nostro et Domino Jesu-Christo à fundamentis ipsis cum baptisterio excitavimus. Scitote verò duodecim etiam cophinos terræ nos inde onustos propriis humeris extulisse, pares videlicet numero duodecim apostolis. Quam nimirum sacrosanctam ecclesiam caput ac verticem omnium per orbem terræ et ecclesiarum dici, coli, prædicari et honorari decernimus, sicut in aliis nostris imperialibus decretis statuimus. *Ædificavimus* verò ecclesias etiam beatis Petro et Paulo, principibus apostolorum, quas argento auroque decoratas magnificèque extructas perfecimus. Ubi et sanctissima ipsorum corpora condentes atque curantes honorificentissimè, magni pretii loculos ipsis ex electro, quo nulla elementorum vis firmitior est, effecimus, crucemque ex auro purissimo margaritisque pretiosis factam sigillatim super utrumque loculum imposuimus aureis configentes clavis. Quibus ecclesiis, pro assiduitate luminarium, possessiones agrosque attribuimus, nostroque imperiali divinoque decreto per Orientem et Occidentem, Septentrionalem et Meridionalem plagam, per Judæam videlicet, atque Asiam, Thraciam, Græciam, Africam atque Italiam, et per diversas insulas, nostram ipsis liberalitatem im-

munitatemque impertiti sumus ; sic videlicet, ut per manus beatissimi patris nostri summi pontificis Silvestri et ejus successorum disponantur omnia. Lætetur igitur nobiscum universus populus ; omniaque per universum orbem terræ nationum genera hortamur ut nobiscum Deo ac Salvatore nostro Jesu-Christo sine fine gratias agant, quoniam ipse Deus est in cœlo suprâ et in terrâ infrâ, qui nos per sanctos apostolos visitans, sanctum baptismatis sacramentum corporisque sanitatem ut perciperemus, dignos effecit. Pro quibus etiam dedimus ipsis sanctis apostolis ac dominis meis Petro et Paulo, ac per ipsos beato Silvestro patri nostro summoque pontifici et universali urbis Romæ papæ, omnibusque ejus successoribus summis pontificibus qui ad mundi usque consummationem in cathedrâ beati Petri sedebunt, atque impræsentiarum tradimus, primùm quidem imperiale palatium nostrum Lateranense, quod præter omnia quæ in orbe terrarum sunt palatia in primis honoratur atque excellit ; deinde verò diadema, hoc est coronam capitis nostri ; similiter verò et phrygium, hoc est, tegmen capitis, sive mitram ; quinetiam et superhumerales, lorum videlicet ipsum quod adsolet imperiale collum circumire ; adhuc verò purpuream chlamydem et coccineam vestem, omniaque imperialia indumenta ; verùm et imperialium antecessorum dignitatem atque equitum addentes, etiam imperialia sceptrâ omniaque insignia, adhuc autem et banda et imperialia ornamenta et omnem imperialis apicis in processionibus gloriam ac potestatem. Reverendissimos etiam viros clericos qui, per diversos ordines, huic sacrosanctæ Romanorum ecclesiæ serviunt, culmen illud eximiamque potestatem atque excellentiam habere decernimus, eâ nimirum gloriâ quâ maximus senatus noster cernitur ornatus, hoc est, patricios ipsos et consules ; adhuc autem et aliis imperialibus dignitatibus insignes ac celebres esse ; et quemadmodum imperialem exercitum, sic etiam clericum sanctæ Romanæ ecclesiæ ornari decernimus ; et ut imperialis auctoritas diversis officiis cubiculariorum, ostiariorum excubitorumque decoratur, sic sanctam Romanam ecclesiam

decorari volumus, et quàm latissimè summi pontificis splendorem ac decentiam promicare. Sancimus et clericorum ejusdem sanctæ Romanæ ecclesiæ equos manipulis ac linteis candidissimi coloris ornari, atque ita equitantes ipsos portare; udonibus quoque, hoc est, candidissimo linteo circum calceamenta ipsa uti, quemadmodùm his etiam senatus noster utitur: ut quemadmodùm coelestia, sic etiam terrestria ormentur ad gloriam Dei. Sancimus ante omnia, dantes licentiam ipsi sanctissimo patri nostro Silvestro urbis nostræ Romæ episcopo et papæ, et omnibus post ipsum in ejus successionem venturis per succedentia tempora beatissimis præsulibus, honoris causâ, ad gloriam Domini nostri Jesu-Christi, in magnâ hâc catholicâ ac apostolicâ ecclesiâ, si quem ex illustri senatu nostro voluerint maximè venerabilibus clericis connumerare, neminem eorum qui ad hoc vocati fuerint, per superbiam recusare ipsum ordinem. Sancimus verò et hoc: omni reverentiâ dignum patrem nostrum Silvestrum summum pontificem, atque omnes adhuc deinceps successores præsules, diademate et coronâ, quæ de capite nostro ipsi præbuimus, ex auro purissimo pretiosisque lapidibus ac margaritis confectâ uti debere, et in capite gestare ad gloriam Dei in beati Petri honorem. Quia verò ipse beatissimus papa, in coronâ clericatûs curæ, quæ est in capite, quam pro honore beatissimi Petri habet, non sustinuit coronâ uti aurâ, nos phrygium, colore hoc candidissimo resurrectionem Domini exprimentes, sanctissimo ipsius vertici propriis manibus imposuimus, et fræna ejus equi tenentes pro honore beati Petri, stratoris officium ipsi exhibuimus; sancientes eodem phrygio omnes ejus successores per se quemque uti in processionibus ad imitationem imperii nostri. Undè, ne videlicet summi pontificis apex vilis esse videretur, sed ut plusquàm terrenum imperium dignitate, gloriâ ac potestate ornetur, ecce et palatium nostrum, ut dictum est, tradimus. Quin et Romanorum urbem totamque Italiam, et Occidentalium regionum provincias, loca, civitates, sæpè jamdicto Silvestro, universali papæ, tradentes ac cedentes, hujus et successorum ipsius

summorum pontificum auctoritate atque sententiâ divino nostro hoc pragmatico decreto administrari diffinimus, juri sanctæ Romanorum ecclesiæ subjicienda et in eo permansura exhibemus. Undè congruum judicavimus imperium nostrum et hujus gloriam in Orientales transferre regiones, et in Byzantii regione, loco optimo, nostri nominis urbem condentes, ibi imperium nostrum constituere. Ubi enim sacerdotum principatus et christianæ religionis caput à cœlesti rege constitutum est, justum non esset ibi potestatem habere terrenum regem. Hæc igitur omnia quæ per sacram nostram hanc scripturam aliaque divina decreta constituta confirmataque sunt, usque ad mundi consummationem illibata et immota permanere decernimus. Undè, coram vivente Deo, qui nos imperare jussit, et ante tremendum ipsius judicium, obtestamur per imperialem hanc constitutionem successores nostros omnes imperatores, satrapas omnes, optimates omnes Romanorum, cunctumque amplissimum senatum, omnes ubique terrarum populos, quique nunc sunt, quique post erunt, horum nemini licere quoquo modo, quæ à nobis imperiali decreto sacrosanctæ Romanæ ecclesiæ omnibusque hujus præsulibus tributa sunt atque exhibita, violare, aut attingere, aut quovis alio modo turbare. Sin aliquis horum, quod minimè credimus, arrogans sive contemptor circa hæc extiterit, æternis addictus maledictionibus illarum subjiatur cruciatibus, sentiatque sibi ipsi contrarios sanctos Dei ac principes apostolorum Petrum et Paulum, et in præsentî vitâ, et in futurâ; in inferiori inferno cruciatus deficiat cum diabolo omnibusque impiis. Hujus autem imperialis nostri decreti scriptionem propriis manibus communientes, super venerabile corpus principis apostolorum beati Petri manibus propriis imposuimus, ibidem Dei apostolo promittentes inviolabilia nos hæc omnia conservaturos, nostrisque successoribus atque imperatoribus conservanda per mandata nostra relicturos, et beato patri nostro Silvestro, et universali papæ, ac per ipsum cæteris omnibus ejus successoribus summis pontificibus, Domino ac

Deo et Salvatore nostro Jesu-Christo libenter annuente, in perpetuum ac feliciter ipsorum in possessione futura.

NOTE C, PAGE 57.

Petrus vocatus apostolus à Jesu-Christo, Dei vivi filio, qui, ante omnia secula cum patre regnans in unitate Spiritûs sancti, in ultimis temporibus pro nostrâ omnium salute incarnatus et homo factus, nos suo redemit sanguine pretioso, per voluntatem paternæ gloriæ, quemadmodum per sanctos suos destinavit prophetas in Scripturis sanctis, et per me omnis Dei catholica et apostolica ecclesia Romana, caput omnium ecclesiarum Dei, ipsius Redemptoris nostri sanguine super firmam fundata petram, atque ejusdem almæ ecclesiæ Stephanus præsul : gratia, pax et virtus ad eruendam eandem sanctam Dei ecclesiam, et ejus Romanum populum mihi commissum, de manibus persequentium, plenius ministretur à Domino Deo nostro, vobis viris excellentissimis, Pippino, Carolo et Carolomanno, tribus regibus ; atque sanctissimis episcopis, abbatibus, presbyteris vel cunctis religiosis monachis, verum etiam ducibus, comitibus, et cunctis generalibus, exercitibus et populo Franciæ commorantibus. Ego Petrus apostolus, dum à Christo Dei vivi filio vocatus sum supernæ clementiæ arbitrio, illuminator ab ejus potentiâ totius mundi sum præordinatus, ipso Domino Deo nostro confirmante : Ite, docete omnes gentes, baptizantes eos in nomine Patris et Filii et Spiritûs sancti. Et iterum : Accipite Spiritum sanctum, quorum remiseritis peccata, remittuntur eis. Et mihi suo exiguo servo et vocato apostolo singillatim suas commendans oves, ait : Pasce oves meas, pasce agnos meos. Et rursum : Tu es Petrus, et super hanc petram ædificabo ecclesiam meam, et portæ inferorum non prævalebunt adversus eam ; et tibi dabo claves regni cœlorum : quæcumque ligaveris super terram, erunt ligata et in cœlis ; et quæcumque solveris super terram, erunt soluta et in cœlis. Quamobrem omnes qui meam audientes impleverunt prædicationem, profectò credant sua in hoc mundo Dei præceptione

relaxari peccata ; et mundi atque sine maculâ in illam progrediantur vitam. Etenim quibus illuminatio Spiritûs sancti in vestris refulsit præfulgidis cordibus, vosque amatores effecti estis sanctæ et unicæ Trinitatis per susceptum evangelicæ prædicationis verbum, profectò in hâc apostolicâ Dei Romanâ ecclesiâ nobis commissâ, vestra futuræ retributionis spes tenetur annexa. Ideoque ego apostolus Dei Petrus, qui vos adoptivos habeo filios, ad defendum de manibus adversariorum hanc Romanam civitatem et populum mihi à Deo commissum, et domum ubi secundum carnem requiesco, de contaminatione gentium eruendam, vestram omnium provocans dilectionem abhortor et ad liberandam ecclesiam Dei mihi à divinâ potentia commendatam omnino protestans admoneo, pro eo quod maximas afflictiones et oppressiones à pessimâ Longobardorum gente patiantur. Nequaquam aliter teneatis amantissimi, sed pro certo confidite, memetipsum tanquam in carne coram vobis vivum assistere, et per hanc adhortationem validis constringere atque obligare adjurationibus. Quia, secundum promissionem quam ab eodem Domino Deo et Redemptore nostro accepimus, peculiare inter omnes gentes vos, Francorum populos, habemus, itaque protestor et admoneo tanquam in ænigmate, et firma obligatione conjuro vos, christianissimi reges, Pippinum, Carolum et Carolomannum, atque omnes sacerdotes, episcopos, abbates, presbyteros vel universos religiosos monachos, vel universos religiosos monachos, vel cunctos iudices, item duces, comites, et cunctum Francorum regni populum, et tanquam præsentialiter in carne vivus assistens eorum vobis ago ego apostolus Dei Petrus : ita firmiter credite me coram vobis per adhortationis alloqui verbum ; et quòd, etsi carnaliter desum, spiritualiter autem à vobis non desim ; quoniam scriptum est : Qui suscipit prophetam in nomine prophetæ, mercedem accipit prophetæ. Sed et Domina nostra Dei genitrix semper virgo Maria nobiscum vos magnis obligationibus adjurans protestatur atque monet et jubet, simul etiam et throni atque dominationes, vel cunctus cœlestis militiæ exercitus ;

necnon et martyres atque confessores Christi, et omnes sancti Deo placentes, nobiscum conjurantes et adhortantes, protestantur, quatenus doleatis pro civitate istâ Romanâ nobis à Domino Deo commissâ, et ovibus Dominicis in eâ commorantibus, necnon et pro sanctâ Dei ecclesiâ mihi à Domino commendatâ, defendite atque liberate eam cum festinatione de manibus persequentiam Longobardorum, ne (quod absit!) corpus meum, quod pro Domino Jesu-Christo tormenta perpassum est, et domus mea ubi per Dei præceptionem requiescit, ab eis contaminentur, et populus meus peculiaris lanietur amplius nec trucidetur ab impiâ Longobardorum gente, qui tanto flagitio et perjuriis rei existunt, et transgressores divinarum Scripturarum probantur. Præstate ergò meo populo Romano, mihi à Deo commisso, in hâc vitâ fratribus vestris, Domino cooperante, præsidia totis vestris viribus : ut ego Petrus vocatus Dei apostolus, in hâc vitâ, et in die futuri examinis, vobis alterna impendens patrocinia, in regno Dei lucidissima ac præclara vobis præparem tabernacula, atque præmia æternæ retributionis et infinita paradisi gaudia vobis pollicens, ad vicem tribuam ; dummodò meum peculiarem populum et Romanam meam civitatem, fratres vestros Romanos, de manibus iniquorum Longobardorum nimis velociter defenderitis. Currite, per Deum vivum et verum vos adhortor et protestor : currite et subvenite antequàm fons vivus, undè sacrati et renati estis, arescat ; antequàm ipsa modica favilla de flagrantissimâ flammâ remanens, de quâ vestram lucem cognovistis, extinguatur ; antequàm mater vestra spiritualis, sancta Dei ecclesia, in quâ vitam speratis accipere æternam, humilietur, invadatur, et ab impiis violetur atque contaminetur. Protestor vos, dilectissimi filii mei adoptivi, per gratiam Spiritûs sancti, et nimis coram Deo terribili, creatore omnium, adhortor atque admoneo, ego apostolus Dei Petrus, et unâ mecum sancta Dei catholica et apostolica ecclesia, quam mihi Dominus commisit : ne patiamini perire hanc civitatem Romanam, in quâ corpus meum constituit Dominus, quam et mihi commendavit et funda-

mentum fidei constituit ; liberate eam et ejus populum Romanum, fratres vestros, et nequaquam invadi permittatis à gente Longobardorum. Sic enim sunt invasæ provinciæ et possessiones vestræ à gentibus quas ignoratis. Non separamini à populo meo Romano : sic enim essetis alieni aut separati a regno Dei et vitâ æternâ. Quicquid enim poscetis à me, subveniam vobis, videlicet et patrocinium impendam. Subvenite populo meo Romano, fratribus vestris, et perfectiùs decertate, atque finem imponite ad liberandum eos. Nullus enim accepit coronam, nisi qui legitime decertaverit : et vos decertate fortiter pro liberatione sanctæ Dei ecclesiæ, ne in æternum pereatis. Conjuro vos, ut præfatum est, dilectissimi, per Deum vivum, et omnino protestor, minimè permittatis hanc civitatem meam Romanam, et in eâ habitantem populum, ampliùs à gente Longobardorum laniari, ne lanientur et crucientur corpora et animæ vestræ in æterno atque inextinguibili igni tartareo cum diabolo et ejus pestiferis angeles : et non dispergantur ampliùs oves Dominici gregis mihi à Domino commissi, videlicet populus Romanus ; ne vos dispergat et projiciat Dominus, sicut Israelitus populus dispersus est. Declaratum quippe est, quòd super omnes gentes quæ sub cælo sunt, vestra, Francorum gens, apostolo Dei Petro prima exstitit ; et ideò ecclesiam quam mihi tradidit Dominus, vobis per manus vicarii mei commendavi, ad liberandum de manibus de inimicorum. Firmissimè enim tenete quòd ego servus Dei vocatus apostolus, in omnibus vestris necessitatibus, dummodò precati estis, auxiliatus sum, et victoriam per Dei virtutem vobis de inimicis vestris tribui, et, ut antè, attribuiam ; nihilominus credite, si ad liberandam hanc meam civitatem Romanam nimis celeriter accurretis. Mementote et hoc, quomodò et inimicos sanctæ Dei ecclesiæ, dum contra vos prælium incoeperunt, à vobis, qui parvo numero contra eos fuistis, prosterni feci : pro quo decertate hanc meam velociter adimplere admonitionem, ut perfectiùs meum mereamini auxilium adipisci, per gratiam quæ data est mihi à Domino Deo nostro. Ecce, filii carissimi, præ-

dicans, admonui vos: si obedieritis velociter, erit vobis locus ad magnam mercedem, meis suffragiis adjuvabimini, et in presenti vitâ omnes vestros inimicos superantes, et longævi existentes, bona terræ comedetis, et æternâ procul dubio fruemini vitâ. Sin autem (quod non credimus) et aliquam posueritis moram aut adinventionem, si minimè velociter hanc nostram impleveritis adhortationem, ad liberandam hanc meam civitatem Romanam et populum in eâ commorantem, et sanctam Dei apostolicam ecclesiam à Domino mihi commissam, simul et ejus præsulem, sciatis vos ex auctoritate sanctæ et unicæ Trinitatis, per gratiam apostolatûs quæ data est mihi à Christo Domino, vos alienari, pro transgressione nostræ adhortationis, à regno Dei et vitâ æternâ. Sed Deus et Dominus noster Jesu-Christus, qui nos suo pretioso sanguine redimens, ad lucem præduxit veritatis, nos quoque prædicatores et illuminatores totius mundi constituit, det vobis ea sapere, ea intelligere eaque disponere nimis velociter, ut celerius hanc civitatem Romanam, et ejus populum, et sanctam Dei ecclesiam mihi à Deo commissam ad eruendum occurratis, quatenus misericorditer divina potentia, pro vobis, sicut fidelibus, meis intervenientibus suffragiis, et in presenti vitâ longævus, sospites et victores conservare jubeat, et venturo in seculo dona suæ remunerationis faciat multipliciùs promereri cum sanctis et electis suis. Benè valete.

NOTE D, PAGE 64.

In nomine Domini Dei omnipotentis, Patris et Filii et Spiritûs sancti, ego Hludovicus, imperator augustus, statuo et concedo per hoc pactum confirmationis nostræ tibi beato Petro principi apostolorum, et per te vicario tuo domno Paschali summo pontifici et universali papæ, et successoribus ejus, in perpetuum, sicut à prædecessoribus nostris usque nunc in vestrâ potestate et ditione tenuistis et disposuistis, civitatem Romanam, cum ducatu suo et suburbanis atque viculis om-

nibus et territoriis ejus montanis, et maritimis littoribus et portubus, seu cunctis civitatibus, castellis, oppidis ac viculis, in Tusciæ partibus, id est, Portum, Centum-cellas, Cære, Bledam, Maturanum, Sutrium, Nepe, Castellum-Gallesii, Hortam, Polimartium, Ameriam, Tudertum, Perusium, cum aliis tribus insulis suis, id est, majorem et minorem, Pulvensam et lacum, Narniam, Otriculum, cum omnibus finibus ac territoriis ad supradictas civitates pertinentibus; simili modo et in partibus Campaniæ, Segniam, Anagniam, Ferentinum, Alatrum, Patricum, Frusinonem cum aliis partibus Campaniæ; necnon et Tibur, cum omnibus finibus et territoriis ad eadem civitates pertinentibus; necnon et exarchatum Ravennatensem sub integritate, cum urbibus, civitatibus, oppidis et castellis, quæ piæ recordationis dominus Pippinus rex ac bonæ memoriæ genitor noster Carolus imperator beato Petro apostolo et prædecessoribus vestris jamdudum per donationis paginam restituerunt, hoc est, civitatem Ravennam et Æmiliam, Bobinum, Cæsenam, Forum-Pompilii, Forum-Livii, Faventiam, Imolam, Bononiam, Ferrariam, Comachum, et Adriam et Gabellum, cum omnibus finibus, territoriis atque insulis in terrâ marique ad prædictas civitates pertinentibus; simulque et Pentapolim, videlicet Ariminum, Pisaurum, Fanum, Senogalliam, Anconam: Humanam, Æsium, Forum-Sempronii, Montem-Feretri, Urbinum, et territorium Valvense, Calles, Luceolos, Eugubium, cum omnibus finibus ac terris ad easdem civitates pertinentibus: eodem modo territorium Sabinense sicut à genitore nostro Carolo imperatore beato Petro apostolo, per donationis scriptum, concessum est, sub integritate, quemadmodum ab Itherio et Macenario abbatibus, missis illius, inter idem territorium Sabinense et Reatinum definitum est: item, in partibus Tusciæ Longobardorum, Castellum-Felicitatis, Urbevetum, Balneum Regis, Ferenti castrum, Viterbium, Martam, Tuscaniam, Populonium, Soanam, Rosellas; et insulas Corsicam et Sardiniam et Siciliam sub integritate, cum omnibus adjacentibus et territoriis maritimis, littoribus, portubus, ad

supradictas civitates et insulas pertinentibus : item, in partibus Campaniæ, Soram, Arces, Aquinum, Arpinum, Theanum, Capuam, et patrimonia ad potestatem et ditionem nostram pertinentia, sicut est patrimonium Beneventanum et Salernitanum, et patrimonium Calabriæ inferioris et superioris, et patrimonium Neapolitanum, et ubicumque in partibus regni atque imperii à Deo nobis commissi patrimonia nostra esse noscuntur : has omnes supradictas provincias, urbes, civitates, oppida et castella, viculos et territoria, simulque et patrimonia, jamdictæ ecclesiæ tuæ, beate Petre apostole, et per te vicario tuo spirituali patri nostro Paschali summo pontifici et universali papæ, ejusque successoribus usque ad finem seculi, eo modo confirmamus, ut in suo detineant jure, principatu ac ditione. Simili modo per hoc nostrum confirmationis decretum firmamus donationes quas piæ recordationis dominus Pippinus rex, avus noster, et postea dominus et genitor noster Carolus imperator, beato Petro apostolo spontaneâ voluntate contulerunt ; necnon et censum et pensiones seu cæteras donationes quæ annuatim in palatium regis Longobardorum inferri solebant, sive de Tusciâ Longobardorum, sive de ducatu Spoletano, sicut in suprascriptis donationibus continetur, et inter sanctæ memoriæ Hadrianum papam et domnum et genitorem nostrum Carolum imperatorem convenit, quando eidem pontifici idem de supradictis ducatibus, id est, Tuscano et Spoletano, suæ auctoritatis præceptum confirmavit ; eo scilicet modo, ut annis singulis supradictus census ecclesiæ beati Petri apostoli persolvatur, salvâ super eosdem ducatus nostrâ in omnibus donatione et illorum ad nostram partem subjectione. Cæterum, sicut diximus, omnia superius nominata ita ad nostram partem per hoc nostræ confirmationis decretum roboramus ut in vestro vestrorumque successorum permaneant jure, principatu atque ditione, ut neque à nobis neque à filiis et successoribus nostris per quodlibet argumentum sive machinationem in quâcumque parte minuatur vestra potestas, aut vobis de suprascriptis omnibus vel successoribus vestris indè aliquid subtrahatur, de

suprascriptis videlicet urbibus, provinciis, civitatibus, oppidis, castris, viculis, insulis, territoriis atque patrimoniis, necnon et pensionibus atque censibus; ita ut neque nos ea subtrahamus, neque quibuslibet subtrahere volentibus consentiamus; sed potius omnia quæ superius leguntur, id est, provincias, civitates, urbes, oppida, castella, territoria, patrimonia atque insulas, census ac pensiones, ecclesiæ beati Petri apostoli et pontificibus in sacratissimâ illius sede in perpetuum residentibus, in quantum possumus, defendere nos promittimus. Ad hoc, ut omnia ea in illius ditione, ad utendum et fruendum atque disponendum, firmiter valeat obtinere, nullam in eis nobis partem aut potestatem disponendi aut iudicandi subtrahendive aut minorandi vindicamus, nisi quando ab eo qui illo tempore hujus sanctæ ecclesiæ regimen tenuerit rogati fuerimus. Et si quilibet homo de suprascriptis civitatibus ad vestram ecclesiam pertinentibus ad nos venerit, subtrahere se volens de vestra jurisdictione vel potestate, vel quamlibet aliam iniquam machinationem metuens, aut culpam commissam fugiens, nullo modo eum aliter recipimus, nisi ad justam pro eo faciendam intercessionem, ita duntaxat si culpa quam commisit venialis fuerit inventa; sin aliter, comprehensum vestræ potestati eum trademus: exceptis his qui, violentiam vel oppressionem potentium passi, ideò ad nos venient ut per nostram intercessionem justitiam accipere mereantur; quorum altera conditio est, et à superioribus valdè disjuncta. Et quando divinâ vocatione hujus sanctissimæ sedis pontifex de hoc mundo migraverit, nullus ex regno nostro aut Francus aut Longobardus aut de quâlibet gente homo sub nostrâ potestate constitutus licentiam habeat contra Romanos aut publicè aut privatim veniendi aut electionem faciendi; nullusque in civitatibus vel territoriis ad ecclesiam beati Petri pertinentibus aliquod malum propter hoc facere præsumat: sed liceat Romanis cum omni veneratione et sine aliquâ perturbatione honorificam suo pontifici exhibere sepulturam, et eum quem divinâ inspiratione et beati Petri intercessione omnes Romani uno consilio atque concordia, sine aliquâ

promissione, ad pontificatus ordinem elegerint, sine aliqua ambiguitate et contradictione, more canonico consecrari. Et cum consecratus fuerit, legati ad nos vel ad successores nostros reges Francorum dirigantur, qui inter nos et illum amicitiam et caritatem ac pacem socient, sicut temporibus pie recordationis domini Caroli atavi nostri, sive domni Pippini avi nostri, vel et Karoli imperatoris genitoris, consuetudo erat faciendi. Hoc autem ut ab omnibus fidelibus sancte Dei ecclesie firmiter esse credatur, firmiterque per futuras generationes et secula ventura custodiat, proprie manus signaculo et venerabilium episcoporum atque abbatum vel optimatum nostrorum sub iurejurando et subscriptionibus pactum istud nostre confirmationis roboravimus, et per legatum sancte Romanę ecclesie Theodorum nomenclatorem domno Paschali pape direximus.

Et ego Ludovicus, misericordie Dei imperator, subscripsi.

Et subscripserunt tres filii ejus, et episcopi decem, et abbates octo, et comites quindecim, et bibliothecarius unus, et mansuarius unus, et ostiarius unus.

NOTE E, PAGE 94.

Innocentius, episcopus, servus servorum Dei, carissimo in Christo filio regi Anglię illustri, salutem et apostolicam benedictionem. Regale genus Anglię, quod speciali quodam affectu et intimę dilectionis prerogativa prosequimur, exaltare super ceteros orbis reges et principes cupientes, dilectum filium magistrum Albertum, notarium nostrum, apostolicę sedis legatum, qui ejusdem generis honorem et commodum zelatur ut proprium, ad partes illas principaliter hac de causā transmissimus, ut, idem genus locupletans et exaltans, conferat ei regnum Sicilię, quod opulentię et divitiis alia regna mundi superat, ad Romanam ecclesiam devolutum; et licet super hoc fuerit hinc inde plerumque tractatum, pro eo tamen quod in eodem regno adhuc supererat unicus nepos tuus, ne videreris

sistre sanguinem proprium et proximorum tuorum spolia concupire, tantum honorem et commodum recipere usque ad hæc tempora distulisti. Sed, eodem nepote tuo impiè, ut asseritur, sublato de medio, tu desiderans cum apostolicâ sede filium habere communem, devovisti perpetuò ad ejus obsequia carissimum in Christo filium nostrum Edmundum, illustrem regem Siciliæ, natum tuum, faciens ipsum de præfati legati manibus, habentis super hoc à nobis potestatem plenariam, recipere prædictum regnum ad honorem Dei et ecclesiæ ac tranquillitatem et pacem totius populi christiani. Supra quod celsitudini tuæ referimus actiones multimodas gratiarum, parati et prompti ad omnia quæ placere noverimus cordi tuo. Cum igitur collationem prædicto regi ab eodem legato factam duxerimus de fratrum nostrorum consilio confirmandam, defectum, si quis ex quâcumque causâ in eâ extitit, suppletes de plenitudine potestatis, magnificentiam regiam rogamus et hortamur attentè quatenus, considerato diligenter, si placet, quòd, cum omnes de illo regno redemptionem à nobis expetant jugiter et expectent, negotium ipsum ex sui naturâ multam accelerationem postulat et requirit, quòdque dilatio in talibus consuevit maximum parere detrimentum, prædictum regem ad proseguendum in manu forti assumptum negotium sic in militiâ, pecuniâ et aliis quæ opportuna fuerint viriliter, celeriter et potenter accingas, quòd ad fastigium ejusdem regni, ubi recipietur, cum desiderio, ut matutinus lucifer, possit magnificè, prout decet tantum principem, pervenire: sciturus pro certo quòd, cum idem negotium sit Dei, non hominis, prædicto regi prospera cuncta succedent, nosque sibi curabimus in personis et rebus et aliis modis quibuscumque poterimus opulentissimè subvenire; parati obligare nos et Romanam ecclesiam, fidejussorio nomine, pro iis quæ sibi fuerint ad prosecutionem ejusdem negotii opportuna. Datum Assisii, idibus maii, pontificatus nostri anno undecimo.

NOTE F, PAGE 96.

De fratrum nostrorum consilio, apostolicâ auctoritate statu-
ans quod quicumque prælati ecclesiasticæque personæ, vel
religiøsæ, vel seculares, quorumcumque ordinum, con-
ditionis seu statûs, collectas vel tallias, decimam, vicésimam
seu centesimam suorum et ecclesiarum proventuum vel bono-
rum, laïcis solverint, vel promiserint, vel se soluturos consen-
serint, aut quamvis aliam quantitatem, portionem, aut quotam
ipsorum proventuum vel bonorum, æstimationis vel valoris ip-
sorum, sub adjutorii, mutui, subventionis, subsidii vel doni
nomine seu quovis alio titulo, modo, vel quæsito colore, absque
auctoritate sedis ejusdem; necnon imperatores, reges, seu
principes duces, comites vel barones, potestates, capitanei vel
officiales rectores, quocumque nomine censeantur, castrorum,
seu quorumcumque locorum, constitutorum ubilibet, et quivis
alii, cujuscumque præeminentiæ, conditionis et statûs, qui
taliam imposuerint, exegerint vel receperint, aut apud ædes
sacras deposita ecclesiarum, vel ecclesiasticarum personarum,
ubilibet, arrestaverint, saisiverint seu occupare præsumpserint,
vel arrestari, saisiri aut occupari mandaverint, aut occupata,
saisita seu arrestata receperint; necnon omnes qui scienter
dederint in prædictis auxilium, consilium vel favorem, pub-
licè vel occultè, eo ipso sententiam excommunicationis in-
currant.

NOTE G, PAGE 97.

Bonifacius, episcopus, servus servorum Dei, carissimo in
Christo regi Francorum illustri salutem et apostolicam bene-
dictionem. Ausculta, fili carissime, præcepta patris, et ad
doctrinam magistri qui gerit illius vices in terris, qui solus est

magister et dominus, aurem tui cordis inclina. Viscerose sanctæ matris ecclesiæ ammonitionem libenter excipe, et cura efficaciter adimplere, ut in corde contrito ad Deum reverenter redeas, à quo per desidiam, vel depravatus consilio, nosceris recessisse, ac ejus et nostris beneplacitis te devotè conformes.....

Constituit enim nos Deus, licet insufficientibus meritis, super reges et regna, imposito nobis jugo apostolicæ servitutis, ad evellendum, destruendum, desperdendum, dissipandum, ædificandum atque plantandum sub ejus nomine et doctrinâ, et ut gregem pascentes Dominicum, consolidemus infirma, sanemus ægrota, alligamus fracta, et reducamus abjecta, vinumque infundamus et oleum vulneribus sauciatis. Quare, fili carissime, nemo tibi suadeat quod superiorem non habeas, et non subsis summo hierarchiæ ecclesiasticæ hierarchiæ. Nam desipit qui sic sapit, et pertinaciter hæc affirmans convincitur infidelis, nec est intra boni pastoris ovile. Et licet de singulis regibus et principibus sub fide militantibus christianâ, pro eorum salute sollicitè cogitemus, erga te tamen officii nostri debitum eo amplius eoque carius et attentius dirigere debemus et exequi, quo majori personam tuam paternâ et maternâ caritate amplectimur, et non solum te, sed et progenitores, domum et regnum tuum, in diversis nostris statibus, plenâ et plurâ sumus benevolentiâ prosecuti.....

Vacantium regni tui ecclesiarum cathedralium redditus et proventus, quos tui et tu appellas *regalia*, per abusum, tu et ipsi tui non moderatè percipitis, sed immoderatè consumitis; sic fit, ut quorum custodia fuit ab initio regibus pro conservatione commissa, nunc ad consumptionis noxam discriminose deveniant et discriminosis abusibus exponantur.....

Nec ignoras quod super iis et consimilibus de te ad Deum, necnon ad te sæpius clamavimus, et exaltavimus vocem nostram, annuntiavimus scelera, delicta deteximus, sperantes te ad poenitentiam salubriter revocare; et adeo deprecavimus inclinande, quod rapta facta sunt fauces nostræ: sed tu, velut

aspis surda, obturasti aures tuas, et nostra salubria monita non audisti, nec recepisti ea velut medicamenta curantis.

Duos esse gladios, spirituales videlicet et temporalem, evangelicis dictis instruimur. Nam dicentibus apostolis, *Ecos gladii duo hic in ecclesia* scilicet, non respondit Dominus nimis esse, sed satis. Certè qui in potestate Petri temporalem gladium esse negat, malè verbum attendit Domini proferentis, *Converte gladium tuum in vaginam*. Uterque ergo est in potestate ecclesie, spiritualis scilicet gladius et materialis. Sed is quidem pro ecclesia, ille verò ab ecclesia exercendus: ille sacerdotis, is manu regum et militum, sed ad nutum et patientiam sacerdotis. Oportet autem gladium esse sub gladio et temporalem auctoritatem spirituali subjici potestati.....

Porrò subesse Romano pontifici omnem humanam creaturam declarantes, dicimus, diffinimus et pronuntiamus omnino esse de necessitate salutis.

NOTE II, PAGE 100.

Bonifacius, episcopus, servus servorum Dei, Philippo Francorum Regi: Deum time, et mandata ejus observa. Scire te volumus quòd in spiritualibus et temporalibus nobis subita. Beneficiorum et præbendarum ad te collatio nulla spectat, et si aliquorum vacantium custodiam habeas, fructus eorum necessarios reserves; et si quæ contulisti, collationem hujusmodi irritam decernimus, et quantum de facto processerit revocamus. Aliud autem credentes hereticos reputamus. Datum Laterani, non. decembr. pontificatus nostri aane vii.

NOTE I, PAGE 101.

Quia in futurorum eventibus sic humani fallitur incertitudo judicii, ut quod conjecturà probabile et rationabile inspicitur, immò interdum accepta consideratio pollicetur, non solum inutile, sed damnosum reperiri contingat; plerumque consilium

provisum, ut quod experimento certo producitur, ex inspectione sanioris iudicii, novis accedentibus consiliis, immutetur. Probat hoc inferius describendæ imperialis institutionis eventus, in quâ discrepavit informis à prævio iudicio sequens exitus diuturnâ experientiâ comprobatus. Quamvis scripturarum auctoritas eundem ortum imperii vitiosum fuisse describat, ut à cupiditate occupatoris inciperet, et per violentiæ turbinem regnandi gubernacula improbis ausibus usurparet. Patet equidem longè latèque notorium, quòd, licèt multi præsidentes imperio catholicè vixerint, et sibi ac subditis, verbis exemplisque profecerint, ac matrem ecclesiam congruis præsiidiis et opportunis favoribus defensorint, nonnulli tamen ex ipsis, spiritu reprobæ præsumptionis afflati, filialem dulcedinem in privignalem amaritudinem convertentes, et abutentes eorum potestatis officio, persecuti sunt ipsam matrem ecclesiam, professionem christiani nominis, divini cultûs reverentiam, et quietem publicam impugnantes. Ecce, si legantur scripturæ, amara potest recensere memoria qualiter Domitianus junior frater Titi ecclesiam et christianos fideles persecutus est asperè, qui beatum Johannem apostolum in insulam Patmos relegavit. Attendat moderna conspectio quid Julianus apostata eidem ecclesiæ tædii et persecutionis intulerit, quid orthodoxis usque ad stragis excidium irrogaverit, vovens improbè quòd palàm ipsam ecclesiam persequeretur infestè, si de Romanis et Parthis victoriam deportasset. Advertat disquirentis ingenium quid Valerius imperator adversùs ecclesiam prædictam commiserit, qui in singulas ubique provincias contra catholicæ professionis ecclesias et populos Christi fideles diversa incommoda intulit et dolorosis angustiis amarè vexavit, ecclesiarum destructivus. Consideret diligens attentio quid Pelagius portaverit, qui fuit in persecutione christianis oppositus, et tandem Italiam Romanamque perveniens plusquàm triginta quatuor episcopos dedit exilîo, et, clausis eorum ecclesiis, plebem afflixit suppliciis numerosis. Nec omittat oblivio quid Anastasius imperator tyrannicâ feritate respersus admiserit, qui, cædes plurimas

stragesque diversas in Urbe committens, sacerdotes et ecclesiasticos immaniter persequens, sic protervè contempsit, ut salutaria monita sperneret, et ad salutis gremium non rediret. Nec in abscondito maneat amara recensio Leonis Augusti, quem sacras sedes et ecclesias destruente[m] Gregorius prædecessor noster, natione Syrus, et à regno deposuit et dignitate privavit. Quid de Trajano, quid de Nerone, quid de Helio Asiano imperatoribus exprimamus! Exempla scripturarum notarum commemorant et in recentem notitiam suâ descriptione propalant, ac infinita inveniuntur exempla quòd iidem præsidentes imperio ipsam ecclesiam et Christi fideles injuriarum aculeis acerbè tractarint, et diversis persecutionum jaculis enormiter impugnarint. Et ut breviter sermo concludatur in genere, à Constantino citrà, rari fuerunt Romani principes qui eidem ecclesiæ faventer assisterent, et multi qui eam pœnis, ingentibus injuriis attemptarint. In proximis (etsi scripturæ nos instruant efficacius, tamen et clariùs probatis proximis edocemur exemplis), notum est quippe, vulgato notorio ab hominum memoriâ multis temporibus non remoto, quòd imperator Otto de Saxonîâ, post confirmationem obtentam ab ipsâ ecclesiâ de suâ electione factâ in discordiâ cum Philippo duce Sueviæ et plura beneficia sibi collata per ipsam ecclesiam, subito factus ingratus tergum, non faciem vertit ecclesiæ receptorum immemor, illam offensis multipliciter provocando, regnum Franciæ motu temerariæ præsumptionis invadens, quamvis ipse stipendia sui peccati recipiens in bello perierit; nec unquam comparuit corpus ejus, sicut ex gestis felicitis recordationis Innocentii prædecessoris nostri evidentè colligitur; fama notoria licèt, non proxima divulgatur. In præsentem quoque notitiam reducat attentè moderna posteritas olim Frederici II. Cæsaris ingrata conamina, qui, teneræ infantie finibus non completis, ablatus uberibus dictæ matris ecclesiæ, ac ejus educatus studio diligenti, per cardinales plures successivis temporibus cum attentionis paternæ solertiâ extitit custoditus, et ejusdem matris ecclesiæ providentiâ gubernatus, ac de angustiis et tribulati-

onibus multis ereptus, cum auxilio et labore ipse matris ecclesie, diadema regni Siciliae et praesidentiam potestatis obtinuit, et ad culmen imperii cum ipsius praecipue favore pervenit: qui datus in sensum reprobum, et mutatus in arcum pravam, ipsam matrem ecclesiam pluribus laceravit injuriis, et gravaminibus multiplicibus affixit, ecclesias opprimens, cardinales et praelatos vocatos ad generale concilium capiens praesumptione sacrilega, sicque tyrannide favente peregit, quod felicitis recordationis Innocentius IV, praedecessor noster, fugiens faciem persequentis, coactus est sedem Petri et Italiae partes relinquere, et se Lugdunum cum fratribus suis transferre, qui Fredericum ipsum exigentibus meritis a dicto imperio regnoque deposuit, et omni honore ac dignitatis titulo, justitia exposcente, privavit. Nec praetereat considerantis intuitum, sed informet advertentis auditum, recens de facili memoranda commissio imperatoris Henrici, qui diebus novissimis, quorum provida spectanda sunt tempora, totam quasi conturbavit Italiam, sicut habet vulgaris opinionis gressus, et semitas rationis egressus, ac in fumum temerariae praesumptionis elatus, contra admonitionem et prohibitionem felicitis recordationis Clementis V, praedecessoris nostri, regnum Siciliae, quod ejusdem matris ecclesiae directi juris et proprietatis existit, disposuerat violenter invadere; et ad loca contigua regni praefati cum numerosa militum comitiva reprobis conatibus invasurus, fratribus nostris per apostolicam sedem pro ipsius coronatione transmissis eum increpantibus quod contra fidem per eum ecclesiae debitam ageret, regnum invadendo praefatum aperte ac maligne denegans, nullum sacramentum fidelitatis eidem ecclesiae praestitisse.

Quia igitur ipsa causa institutionis et conservationis imperii cessavit et desit, quin potius, ut declarat eventus, in oppositum se convertit, nos, ad quem speciali prerogativa pertinet, et praeminentia potestatis, evellere atque destruere, plantare et aedificare, dividere ac unire, de omnipotentia summi Patris, et apostolorum ejus Petri et Pauli, spe certa confisi, eorumque

munanti suffragio, de fratrum nostrorum consilio, et assensu par-
tensâ deliberatione firmato, ex præmissis rationabilibus causis
et aliis quas præsentibus inseri mater oblivionis prolixitas non
sussit, provinciam Italiæ ab eodem imperio et regno Alemanniæ
totaliter eximentes, ipsam à subjectione, communitate et juris-
dictione eorundem regni et imperii separamus, dividimus, per
partes scindimus, ac de potestatis nostræ plenitudine liberamus,
decernentes ut nullo unquam tempore conjungantur et uni-
antur, aut in uno corpore existere conseantur, ex eo præcipuè,
quòd earundem provinciarum longa diffusaque protensio sic
confundit et impedit unius regnantis jurisdictionis et guber-
nationis effectum, quòd ipsarum cura perplexè negligitur, et
dum imperantis animus ad multa dividitur, ad singula per
consequens minoratur; de regimine et gubernatione, cum
providentiâ Regis æterni, et eorundem fratrum nostrorum con-
silio et deliberatione solemni, cautius provisuri, ac declarantes
regnum prædictum Alemanniæ à regno Franciæ claris distingui
terminis, et notis finibus limitari distinctis, per nos de ipsorum
fratrum consilio, paterno more, providè distinguendis. Hoc
nos exemplum Christi actionis instruit, qui propter peccata
regnantium regna divisit. Hoc docet provisa ratio, quæ malum
separat, ut unita malitia gravius non offendant. His experi-
menta probata consentiunt, quæ, dum boni sperati successus
non veniunt, nova remedia causâ suadente producant.

NOTE K, PAGE 109.

IN minoribus agentes, nondum sacris ordinibus initiati, cum
Basileæ inter eos versaremur, qui se generale consilium facere
et universalem ecclesiam repræsentare aiebant, dialogorum
quemdam libellum ad vos scripsimus, in quo de auctoritate
concilii generalis, ac de gestis Basileensium et Eugenii papæ
contradictione, ea probavimus vel damnavimus quæ probanda
vel damnanda censuimus: quantum capiebamus, tantum de-
fendimus aut oppugnavimus; nihil mentiti sumus; nihil ad

gratiam, nihil ad odium retulimus. Existimavimus bene agere, et rectâ incedere viâ : nec mentis nostræ aliud erat objectum, quàm publica utilitas et amor veri. Sed quis non errat mortalis !.....Declinavimus et nos ab utero matris, erravimus in invio, et non in viâ ; ambulavimus in tenebris, et procul à verâ luce recessimus ; nec nobis tantùm erravimus, alios quoque in præcipitium traximus, et, cæcis ducatum præbentes cæci, cum illis in foveam cecidimus. Seducti peccavimus ut Paulus, et ignorantes persecuti fuimus ecclesiam Dei, et Romanam primamque sedem. Propter quod prostrati ante oculos divinæ pietatis supplices oramus : delicta juventutis meæ et ignorantias ne memineris, &c. Pudet erroris, poenitet malè fecisse, et malè dictorum scriptorumque vehementer poenitet : plus scripto quàm facto nocuimus. Sed quid agamus ! scriptum *et semel emissum volat irrevocabile verbum*. Non sunt in potestate nostrâ scripta quæ in multas inciderunt manus et vulgò leguntur. Utinam latuissent quæ sunt edita ! nam, si futuro in seculo manserint, et aut in malignas mentes inciderint, aut incantatas, fortassè scandalum parient. “ Quæ hæc scripsit, “ inquit, in beati tandem Petri cathedrâ sedit, et Christi Salvatoris vicariatum gessit. Ita scripsit Æneas, qui postea, “ summum pontificatum adeptus, Pius II. appellatus est ; nec “ invenitur mutasse propositum. Qui eum elegerunt, et in “ summo apostolatûs vertice collocarunt, ab iis scripta ejus approbata videntur.” Verendum est ne talia nostris aliquando successoribus objiciantur, et quæ fuerunt Æneæ, dicantur Pii, atque ab eâ sede auctoritatem vindicent, adversus quam ignoranter latraverunt. Cogimur igitur, dilecti filii, beatum Augustinum imitari, qui, cùm aliqua in suis voluminibus erronea inseruisset, retractationes edidit. Sicut grues unam sequuntur et in apibus unus est rex, ita et in ecclesiâ militanti unus est omnium moderator et arbiter Jesus-Christi vicarius..... Nec duos pluresve Petros evangelistæ commemorant, nec duos aut plures instituit Dominus, qui suum locum tamquam capita tenerent æqualia : sed unum constituit, ut verticem ac ducem

et pastorem universi gregis, Simonem Petrum, dicens: "Tu es Petrus, et super hanc petram ædificabo ecclesiam meam: et tibi dabo claves regni cœlorum, et quodcumque ligaveris super terram, erit ligatum et in cœlo; et quodcumque solveris super terram, erit solutum et in cœlo; et pascere oves meas....." Nec alius à petrâ dictus est Petrus, nisi Simon: qui solus pro Domino in periculo constituto exemit gladium Si quid aversus hanc doctrinam inveniritis aut in dialogis, aut in epistolis nostris, quæ plures à nobis sunt editæ, aut in aliis opusculis nostris (multa enim scripsimus adhuc juveneo), respuite atque contemnite: sequimini quæ nunc dicimus, et seni magis quàm juveni credite; nec privatum hominem pluris facite quàm pontificem. Æneam rejicite, Pium recipite. Illud gentile nomen parentes indidere nascenti; hoc Christianum in apostolatu suscepimus. Dicent fortassè aliqui cum pontificatu hanc nobis opinionem advenisse, et cum dignitate mutatum esse sententiam. Haud ita est..... Aderant legati Parisiënsis scholæ, cujus est fama percelebris; adfuerunt et aliquando vestri et aliorum studiorum Germanicæ nationis oratores; et uno ore concilii generalis auctoritatem ad cœlum efferebant. Quales magistri sunt, tales discipuli evadere solent. Paucos invenias Aristoteles qui Platonica norint destruere dogmata. Non est discipulus supra magistrum, inquit Dominus: nec nos magistrum potuimus superare..... Una omnium vox concilium Eugenio præferebat: concilium cuncta sonabant. Didicimus ergò quæ audivimus et post aliquot annos existimantes nos aliquid esse, diximus, ut est apud Satyricum:

Semper ego auditor tantum? nunquamne reponam?

..... Recognovimus errorem nostrum..... Grex Christi ecclesia est: pastor primus ipse Christus fuit; et pastor bonus qui posuit animam suam pro ovibus suis. Secundus pastor Petrus extitit ab ipso Domino institutus, atque omni potestate

donatus, quæ ad benè regendum commissas oves necessarie ducitur: alioquin Christus, qui sapientia Patris est, et omnino sapienter egit, ecclesiæ suæ haud sufficienter providisset; quod est nefarium asserere. Et quamvis plures per orbem ecclesiæ institutæ fuerint, et plures greges, et ovilia plura, et pastores plures, omnes tamen sub uno pastore et in uno grege atque ovili continebantur, sicut et hodie continentur: quia unus est Christi thalamus, una sponsa, unum ovile, unus pastor, et omnium episcoporum unus episcopus Romanus præsul, beati Petri successor, et Jesûs-Christi vicarius. Petrus enim in Antiuchiâ primùm sedit, deinde Romam venit: unde cùm persecutionem fugiens vellet abire, à Domino prohibitus est, et hic glorioso martyrio vitam finivit, successore Clemente substitutoLaquet igitur unum in ecclesiâ caput esse et unum principum, quia pax populi ex uno rectore dependet, et pluralitas principum discordiam parit. Christus ecclesiæ suæ in ultimo testamento pacem reliquit, et pacem multis verbis commendavit. Dedit ergo et regimen pacis amicum, id est monarchicum; sub beato Petro et successoribus ejus administrari cuncta præcipiens, olavibus illi commissis, et curâ gregis demandatâ. Hoc nos de Romani pontificis auctoritate et potestate sentimus, cui et congregare generalia concilia, et dissolvere datum est.....quia non est corpus ecclesiæ sine capite, et omnis ex capite defluit in membra potestas. Hæc nostra sententia est, filii, hæc credimus et profiteamur: hæc jam senes, et in apostolatûs apice constituti, pro veritate asserimus. Si quæ vel vobis vel aliis conscripsimus aliquando quæ huic doctrinæ repugnent, illa tamquam erronea, et juvenilis animi parùm pensata judicio, revocamus atque omnino respuimus.

Datum Romæ, apud Sanctum-Petrum, sexto kalendas maias, anno 1463.

NOTE L, PAGE 116.

Profectò potestas et auctoritas pontificis adeò est suprema, ut alias omnes non solùm excedat, sed ab eà lumen et virtutem recipiant. Dedit enim Omnipotens Petro, et successoribus æternæ vitæ clavigeris, terreni et cœlestis imperii jura.

Dico quòd renunciatio imperii facta sine consensu sanctitatis vestræ, neque recta est, neque legitima, cùm debuerit fieri in manibus illius.....Prima ratio est, quòd renunciatio fieri debet in manibus superioris. Summus autem pontifex est ille qui est superior imperatori, et omnibus mundi principibus, quia eos omnes constituit, ut dicit Innocentius tertius scribens ad regem Bulgarorum, auctoritate non ab homine, neque per hominem, sed à Dei filio, cujus est vicarius in terris. *Proverb. VIII*: Per me reges regnant, et legum conditores justa decernunt. Nec augustus et imperator dici potest, nisi à papâ approbetur, inungatur et coronetur; ut dicit Paulus Diaconi scriptor, in libro de origine et gestis Francorum; et ut dicit archiepiscopus Florentinus, in primâ parte suæ Summæ, tit. iv, cap. 10, super illo verbo Joannis ultimo, *Petre, pasci oves meas*. Si imperator, reges et principes mundi omnes, oves Christi fideles esse desiderant, oportet ut summi pastoris, qui est Papa, regimini et imperio se subditos fateantur. In hujusmodi signum Papa confirmat, consecrat et benedicit imperatorem, ut superior inferiorem, juxta illud Apostoli, Hebræorum vii: *Qui minor est, à majore benedicitur*.

Cùm summus pontifex, verus Dei et Christi in terris vicarius, existat superior imperatori, et ab eo auctoritatem habenti, præsertim posteaquam semel ab ipso confirmatus, unctus, coronatus et consecratus fuit, ac ei manum personaliter Bononiæ imposuit; dico à se eam jurisdictionem vel jus, propriâ auctoritate, sine causæ cognitione, et consensu ipsius, abdicare non potuisse; et ita, à peritis utriusque juris, esse, juribus, rati-

onibus et auctoritatibus, communi calculo accepi. Sicque etiam in militari disciplinâ pariter observatur, armorum ducem muneri et oneri sibi à suo superiore injuncto renunciare absque ejus licentiâ, citra proprii honoris læsionem, minimè posse; et imperator ipsemet (ut audio), in legibus suis, se inter commilitones vocat et ponit.

Dico non solùm electionem prætensam vel promotionem ad imperium suspendi et impediri, verùm, cùm contra proprium juramentum venerit, et jam promotum deponi et privari debere; prout aliàs etiam propterea jure servatum fuit, præcipuè contra Fredericum ab Innocentio IV, sacro præsentem et consentientem toto fratrum suorum concilio.

Quæstioni facilius daretur responsio post editam et exhibitam allegatam imperii cessionem; sed in omnem eventum negari non potest quidquid aut fieri aut attemptari ausum est circa hujus-modi imperii dimissionem, admissionem atque acceptionem, inscio, inconsulto aut non mandante vel approbante Romano pontifice, ad quem negotium spectat, viribus omninò carere, neque ratione aliquâ probabili aut juris auctoritate contrarium posse defendi. Sit ipsius Caroli dimissio imperii, sit electorum admissio, sit denique regis ad imperium adspirantis temeraria acceptio, quandoquidem, si Cæsar aliquando imperium à se abdicare voluerit, non illud pro suo arbitrio potest, nec quoties libuerit, aut coram quibus voluerit, sed id à summo pontifice expostulet, impetret necessum est, quem solum in superiorem habet et agnoscit, à quo ad imperium promotus est, et cui fidelitatis et perpetuæ obedientiæ ac defensionis jusjurandum, sicut de jure tenebatur, præstitit, à quo denique destitui ac deponi legitimâ subsistente causa posse, explorati juris est.

Quam potestatem ipse Christus Dominus noster post suam resurrectionem à mortuis, ascensurus in cælum ad Patrem, unde venerat, reliquit Petro, dum tertiò illi dixerat: *Petre, pascere, pascere, pascere oves meas*. Quæ verba, à concilio Florentino, hoc modo fuerunt exposita sic diffiniendo, sanctam apostolicam

sedem et Romanum pontificem in universum orbem tenere primatum, et ipsum pontificem Romanum successorum esse beati Petri principis apostolorum, et verè Christi vicarium, totiusque ecclesiæ caput, et omnium christianorum patrem ac doctorem existere, et ipsi beato Petro pascendi, regendi et gubernandi universalem ecclesiam à Domino nostro Jesu-Christo plenam potestatem traditam esse, quemadmodum etiam in gestis œcumenicorum conciliorum et in sacris canonibus continetur, ex quibus clarè apparet potestatem et principatum monarchiæ, necnon totius populi christiani, esse in solo Papâ, à quo potestas imperialis vel regia dependet et provenit. Nam Dominus noster Jesus-Christus solus ipse est princeps, et monarcha, ac imperator totius mundi, cujus vicarius est Papa qui inungit imperatorem et reges, dat nomen imperatori, eique dat gladium ad vindictam malefactorum laudemque bonorum. Hæc confessus fuit Constantinus ille magnus, hæc etiam Martianus imperator in concilio Chalcedonensi, Otho imperator, et successive omnes imperatores hanc imperialem potestatem recognoverunt à Papâ, ut historiographi et Græci et Latini dicunt atque scribunt. Cum hæc potestate Zaccarias Papa privavit regem Gallorum absolvitque subditos ejus à vinculo juramenti; Innocentius tertius excommunicavit Archadium imperatorem; Innocentius quartus privavit Henricum; et quamplures alii summi pontifices, hæc potestate divinitus sibi datâ, destituerunt alios imperatores et reges imperio et regnis suis. Papa enim tenet monarchiam mundi et utrumque gladium: nam Moyses, cujus successor est Papa, habuit utrumque gladium, et Dominus noster Jesus-Christus utroque gladio usus est. Hæc potestate etiam Papa creavit et creat reges quotidie, et transfert imperium de uno loco ad alium, ut Stephanus tertius translatit imperium à Græcis in Germanos (et Johannes de Turrecremata in suo tractatu de potestate Papæ hoc refert capitulo ix, col. 4); deditque facultatem illis septem principibus Germaniæ eligendi imperatorem, ut refert Innocentius tertius in *venerabilem de electione*: quâ electione factâ, electus imperator

venit ad petendam confirmationem à summò pontifice, tanquam à superiore, cui prius præstat juramentum fidelitatis (quod juramentum, cum unctione, sapit subjectiones), recipitque et coronam imperialem et gladium et insignia imperialia, vocaturque ab eo imperator Augustus: ex quibus actibus clare demonstratur, imperatorem potestatem habere et dignitatem, non ab ipsis electoribus, sed à Papâ. Et cum Henricus imperator negaret se præstitisse tale juramentum fidelitatis, sub Clemente V, in concilio Viennensi fuit declaratum omnia juramenta quæ præstat imperator Papæ et sedî apostolicæ, esse juramenta fidelitatis; sicque fuit observatum à dictis temporibus Othonis et Henrici, usque ad tempora Caroli V, immediati imperatoris prædecessoris, et absque difficultate aliquâ.

Quod pertinet ad alterum caput an rectè et legitimè sine consensu sanctitatis vestræ Carolus V cesserit imperium fratri, quæstio hæc non videtur locum habere, cum altera ejus pars sit ἀναμφλεκτος, hoc est talis, ut in dubium revocari non possit. Quod enim simpliciter fieri non potest, quid attinet de eo quod verè jure ne factum sit! Quod autem imperator non possit imperium cedere, tum ratione et auctoritate, tum exemplis imperatorum potest probari. Cum enim imperatoria jurisdictio à Romano pontifice ut à Christi vicario profiscatur, in cujus manu sunt omnium potestates et jura regnorum, is in quem talis potestas confertur, non ita eam possidet, ut cedere valeat, sed imperii curam humeris suis impositam tamdiu sustinet quoad ecclesiæ catholicæ utilitati expedire judicaverit Romanus pontifex. Quod si imperator ipse necessariis causis se impeditum cognoverit, quominus impositum onus ferre possit, debet causas illas exponere Romano pontifici, ut si eas justas esse cognoverit, admittat, et à fidelitatis et subjectionis vinculo quo se astrinxit, eum absolvat. Non enim liber erit donec ab illo ipso cui astrictus est, absolutus fuerit. Non igitur potest cedere id cujus potestatem non habet. Exempla etiam superiora docent imperatores ipsos nanquam imperatoriam potestatem ita sibi arrogasse, ut à se ipsis illam se habere arbi-

treatur. Scimus Othonem, Henricam, Fredericum et Carolum IV in suis litteris testari se à Romanis pontificibus suo quemque tempore ad imperium promotum fuisse. Nihil ergò sine auctoritate et jussu sedis apostolicæ, quæ, ut ait Gregorius IX, cùm imperium transtulit de Græcis ad Germanos, nihil de substantiâ suæ jurisdictionis imminuens, imperii tribunal sibi supposuit, et gladii potestatem concessit. Itaque fidei et honori suo derogare convincitur, qui pontificem Romanum factorem suum non agnoscit. Hæc Gregorius IX. Præterea, si ad imperium promovendus examinatur, inquiritur, approbatur, inungitur et consecratur, quâ fronte aut quâ potius conscientia se ad imperium intrudet, qui apostolicæ sedis examen non subiit? Omnes enim, ut affirmat Gregorius IX, et ante illum Innocentius III et IV, cognoscunt promovendos in imperatores apostolicæ sedis examinationi subiacere. Quòd si quis non antea fuerit ab apostolicâ sede approbatus, illi neque ut imperatori, neque ut administratori imperii, obediendum aut adhærendum esse præcipit Joannes XXII.

NOTE M, PAGE 125.

Essendo che dopo l' accidente seguito in Roma a 20 agosto del 1662, tra la famiglia del duca di Créquì, ambasciatore del re di Francia, e le nostre guardie de' soldati Corsi, in vece di castigare, S. M. Christma., la detta famiglia, e l' istesso suo ambasciatore. quando fosse stato complice de' piu enormi delitti ed insulti commessi per avanti dentro a poche settimane in questa città, come costano per processi, e come già per mezzo del nostro nunzio in Parigi ne la fecemo richiedere, che in vece ancora di castigare i predetti per nuovi insulti fatti ad alcuni soldati della pattuglia, disarmandoli, e maltrattandoli, e per haver ben quattro volte injuriati e provocati i soldati Corsi, mentre che andavano quietamente per fatti loro, si sia voluta S. M. Christma. fermare solamente nell' ultimo eccesso, che fecero i Corsi assaliti fin nel proprio quartiere da' Francesi, il

predetto giorno de' 26 di agosto, con rispingargli, e perseguitargli fin dentro il palazzo del medeso. ambasciadore, traspassando ogai termine di non colpevol tutela ; e per questa ragione habbia S. M. Christma. cacciato dalla sua città e regno il nostro nunzio, pretendendo di più da noi sodisfazioni improprie ed eccedenti, e negando l' audienza a chiunque per nostra parte voleva informarla dalla verita del fatto, anzi ricusando e rimandando in dietro nostre lettere e brevi ; e passata S. M. di più ad altre dimande totalmente disgiunte da questo caso, ed impertinenti, cioe che noi contentassimo il duca di Modena per le pretenzioni d' alcune valli pescareccie di Comacchio, che pure pendevano per discussione avanti a congregazione richiesta da lui medesimo, ed ove per sua colpa si differiva la cognizione, per non havere fino al presente giorno prodotto pur una scrittura in forma probante ; e di più che contentassimo anco il duca di Parma con fargli grazia della scamerazione del ducato di Castro, e dello stato di Ronciglione, concedendogli altro termine di otto anni, ed habilitandolo a redimere restituendo il prezzo in più paghe, non ostante l' instrumento di vendita fattane da lui alla nostra camera sotto i 19 xbre. 1649, e successivamente ratificata a' x di genaro 1651, e che havean interceduto il re di Spagna, e 'l gran duca di Toscana, perchè la predetta camera venisse alla compra col patto di poter redimere nel termine di otto anni, come più ampiamente apparisce nel detto instrumento ; ed ancorchè fosse seguita l' incamerazione de' predetti ducato e stato co' voti di tutti i cardinali presenti in curia doppo il corso de' detti otto anni, e di altri tre susseguenti, con la dichiarazione che i medesimi si comprendano nella bolla di Pio V, ed in quelle d'Innocenzo IX e di Clemente VIII, nostri predecessori, *de non infendandis* : minacciando S. M. Chrisma, per mezzo del detto suo ambare. che, se non conseguiva le dette cose, haverebbe invaso nemicamente il nostro stato ecclesiastico, con 12 m. fanti, e con 6 m. cavalli, ed havendo di più occupata la città con lo stato di Avignone, e'l contado Venaicino co' loro annessi spettanti a questa santa

sede già più secoli tanto nello spirituale quanto nel temporale, con grave offesa, e con disprezzo di essa, sollevando i popoli alla ribellione, e cacciando violentemente, ed incarcerando i ministri di questa sa. sede con abbattere le sue insegne, a di poi accrescendo sempre più le minacce della sua gran potestà, havendo dichiarato di venire all' invazione de' nostri stati con 20 m. fanti, e con 10 m. cavalli, e di portarsi in persona a Lione ed in Pinarolo per accelerare maggiormente contra di noi le sue armi, siccome l'ha fin hora cominciato ad eseguire con haver introdotto circa a 7 m. fanti e tre m. cavalli ne' feudi di santa chiesa di Parma e di Piacenza, ed in que' di Modena, acquartierandoli a fronte de' nostri confini, e perseverando a far venire dalla Francia continuamente nuove soldatesche armate. Noi, per prevenire e per rimuovere sua maestà della effettuazione delle predette minacce, doppo havere tentati con essa i modi più proprii e più convenienti al nostro paterno zelo, e doppo esserci lassati andare a concedere sodisfazione esorbitanti, contro chi non haveva colpito in cosa alcuna, come è publico e notorio a tutti, non vedendo placarsi il suo sdegno, ne riconoscendo alcuno appagamento di ragione, o aggiustamento, ci preparammo l' anno passato alla difesa de' nostri sudditi con dispendio di due milioni, come con l' istessa e maggior somma habiamo fatto pure questo presente anno con la speranza di havere aiuti, come gli haveamo chiesti dall' imperadore, da re, dalla repa. di Venetia, e da tutti i principi cattolici ed electori dell' Imperio. Ma non essendo alcuno di loro concorso pur in minima parte sotto molte e varie scuse d' impedimenti, anzi havendoci di continovo fatta istanza perche concedessimo tutte le sodisfazioni richieste, benchè esorbitanti, ed in specie a sodisfare con denaro il duca di Modena, e quello di Parma con la predetta scamerazione degli stati di Castro e di Roneiglione; e di più havendo il governor di Milano accordato il passo alle armi di Francia per venire alla nostra offesa, e negatolo a noi per le levate degli Suizzeri chiamati a nostra difesa, ed avendo i Veneziani assistite le pre-

dette armi offensive con monizioni da bocca e da guerra, siccome hanno fatto i Genovesi, e'l duca di Savoia nel loro passaggio, promettendosi l'istesso la Francia del gran duca di Toscana, e del duca di Mantoua, e facendo grosse levate di soldatesche i duchi di Parma e di Modena: partecipammo il tutto al nostro sacro collegio de' cardinali, i quali vedendo il giusto timore di proxima invazione, e le pregiudizii della a. sede si spirituali come temporali in accendersi questa guerra, e conoscendo che le forze temporali della sede apostolica non sono sufficienti ad impedirgli ed ad evitargli, e però stimando che in questo sì urgente caso di somma, di evidente e di fortosa necessità, non obblighino le costituzioni e' decreti di Pio V, e di Clemente VIII, e degli altri sommi pontefici nostri predecessori, nè meno le nostre pubblicate sopra la confirmazione di quelle pe' suddetti stati di Castro e di Ronciglione, ci hanno consigliato a sodisfare al duca di Modena, ed a promettere la detta scamerazione con dare un nuovo termine al duca di Parma per redimergli pagando il prezzo in una o più paghe, facendo la retrovendita a proporzione. Onde siamo stati astretti a far intendere agli ambasciari de' principi che trattano col re di Francia, questa risoluzione, ed a mandar di poi monsignor Rasponi a Pisa, ove S. M. Chrima. ci a fatto sapere, per mezzo del gran duca di Toscana, e del cardinal decano, haver mandata plenipotenza à Mr. di Pulemont, auditore della Rota, da durare fino al 16 di febbrajo corrente per concludere ogni accordo, quando habbia con le altre molte richieste questa ultima sodisfazione ancora.

Ma perchè sia palese a' nostri successori, ed a tutti in ogni tempo, che noi siamo stati forzati a far ciò dalla potenza, dalla violenza, e del giusto timore delle armi di S. M. Chrima. e da una precisa necessità di prevenire mali maggiori da una guerra in Italia mossa da sì potente mano contro la sede apostolica non aiuta da alcuno di tanti principi cattolici a ciò richiesti, e mentre che dall' altra parte il Turco, non contento di haver posto piede in Candia, minaccia il restante delle isole del dominio Vene-

ziano, e la Dalmatia, e'l Friuli, ed in' oltre ha occupata già gran parte del regno di Ungaria, e si prepara con forze formidabile in questa nuova campagna :

Perciò, di nostro moto proprio, scienza, et pienezza di nostra potestà, protestiamo avanti a Dio benedetto, ed avanti a gloriosi apostoli san Pietro e san Paolo, come non habbiamo consentito, ne fatto, ne ordinato, ne siamo per consentire, ne fare, ne ordinare alcuno degli atti sopradetti, ne delle tante soddisfazioni che ci dicono accordate, e specialmente le disparate dall' accidente de' Corsi concernenti, oltre le soddisfazioni chiesteci pel duca di Modena, il negozio del ducato di Castro; e dello stato di Ronciglione, e delle loro pertinenze, di nostra libera volontà, ma sì bene per mera inevitabil forza, violenza, e necessità di ovviare e di riparare maggiori danni e pregiudizii della religione, della sa. sede, di tutto il suo stato; e de' suoi sudditi e vassalli, accendendosi dalla Francia una guerra in Italia, quando il Turco, con tutta la sua potenza, occupata già tanta parte, altrove pur minaccia, e si muove contro la medesima, contro il quale sono tre anni, che havendo promessa la nostra confederazione habbiamo fin hora indarno fatigato per tirare alla medesima i principi cattolici.

Dichiaramo perciò che le sopradette cose, ed in particolare la prefata scamerazione, e la concessione del nuovo termine con quanto di sopra, si è enunciato e si è fatto, e quanto siamo per fare e per ordinare intorno a ciò, si deva attribuire alla forza, alla potenza, alla necessità predette, alle quali non possiamo soli resistere ; non già ad alcun nostro volere, o consentimento : poichè anzi dissentiamo da ciascuna, e da tutte le sopradette cose, e massime in riguardo delle nostre bolle dalla detta scamerazione, e da tutti gli atti intorno ad essa fatti, e da farsi, tanto antecedenti quanto conseguenti. E però in ogni migliore e più efficace maniera che possiamo con la pienezza della nostra potestà, gli dichiaramo nulli e di niun momento. Anzi ammettiamo fin di presente le proteste e dichiarazioni tanto fatte,

quanto che si faranno in qualsivoglia modo da qualunque persona particolarmente ecclesiastica sopra la nullità ed insussistenza delle tante concessioni di sodisfazioni, e della sopra detta seamerazione, e di tutto quello che la concerne tante antecedentemente quanto consecutivamente, acciocchè si possi retractare tanto co' rimedii juridichi e legali quanto con altri che possino in qualsivoglia modo, luogo e tempo competere a noi, ed alla nostra santa sede, e camera apostola. ; volendo che le presenti nostre proteste s' intendano fatte e replicate avanti, nel principio, nel mezzo e nel fine di qualunque de' predetti atti tanto de' fatti quanto di quegli che si faranno. Decretando che questo nostro chirographo, proteste e dichiarazioni siano valide, ed habbiano il loro vero, pieno e totale effetto e vigore con la sola nostra sottoscrizione, ancorchè non siano registrate in atti pubblici, ne meno ne' libri della nostra camera apostolica, ne altrove, ed ancorchè non vi si interponga autorità di giudice : e decretiamo e vogliamo che facciano intiera testimonianza della nostra sincera volontà in ogni tempo, in ogni luogo, e per ogni effeto più giovevole alla santa sede, ed alla camera apostola., supplendo con la pienezza della nostra potestà ad ogni difetto che alcuno volesse o potesse opporre giamai, non ostanti gli usi, gli stili, le leggi, i decreti, costituzioni apostoliche, statuti e consuetudini, e qualunque altra cosa, che facessero o potessero fare in contrario ; alle quali tutte, ed a ciascuna di esse, benché ricevessero speciale ed individua menzione, havendo il loro tenore qui per sufficientemente espresso con tutte le circostanze, deroghiamo in ogni miglior modo e forma che fare si possi.

Dato nel nostro palazzo di Monte-Cavallo, questo giorno decimo-ottavo di febbrajo, dell' anno del Sigor. mille seicento sessanta-quattro, e del nostro pontificato, per divina misericordia, anno nono.

ALEXANDER papa VII, manu propria.

NOTE N, PAGE 134.

Uno de gl' incidenti più scabrosi, e d' importanza maggiore, che serva d' argomento alle controversie presenti, è quello delle quattro proposizioni date fuori sacrilegamente, e senza alcuna autorità ne ragione, dall' ultima assemblea del clero, con una intenzione di quella corte, a cui in simile occasione il clero non si è vergognato di servire ciecamente, di volere incuter timore a s. santà., e divertirla dal negotio principale della regalìa. Il che si comprende manifestamente in riflettere, che da molti anni in quà in tutte le differenze che la Francia ha avute con questa s. sede, ha poste sempre in campo tali proposizioni col mezzo della Sorbona, quasi che con la minaccia fatta a i papi passati di voler far credere i loro giudizii in materia di fide riformabili, la superiorità de' concilii sopra di essi, e di negar loro ogni autorità, benchè indiretta, nel temporale de' principi, potessero paventarsi, ed indursi a fare il suo volere con darli ogni soddisfazione ancorchè ingiusta. Ma di questa loro temeraria ed empia dottrina creditata dai Richeristi, fazione che non è ancora estinta, e che fece gran strepito in Sorbona nel principio di questo secolo, non hanno mai i Francesi saputo addurre alcun solido fondamento, &c.

Doppo le guerre civili di Francia, terminate con la conversione alla fide cattolica del re Enrico IVo., cominciò a stendersi ed a prender forza nel popolo l' opinione insinuata da huomini politici ed artificiosi, che l' autorità della santa sede sopra il temporale de' principi fosse una cosa troppo odiosa agl' eretici, e per conseguenza troppo contraria alla loro riunione con la chiesa, e troppo pericolosa, &c.

Corsero doppo molt' anni senza che tal questione fosse pubblicamente dibattuta, finche coll' occasione del famosa libro del Gesuita Santarelli, la Sorbona nell' anno 1626 la rimesse in campo censurando in detto libro la dottrina che dava a i papi alcuna autorità sopra il temporale de' principi. Simil riso-

luzione della Sorbona fù parto più del raggio e delle arti di alcuni huomini potenti e politici, che di quella libertà che deve essere in ogni assemblea di christiani, massime in quelle che son composte di sacerdoti e di teologi.

NOTE O, PAGE 135.

A nostro signore non è mai caduto in pensiero de disputare al re christianissimo l' arbitrio di allontanare dal suo servizio que' ministri e servitori, de' quali la maestà sua non resta sodisfatta, ma solamente ha creduto che sua maestà non possa mandare in relegazione alcun' ecclesiastico, e molto meno un cardinale; ne a credere così sua beatitudine è stata mossa dalla sola considerazione del signor cardinal di Baglione, il quale non a usata alcuna industria per ottenere di quà aiuto, ed ha data poca occasione alla santità sua di lodarsi di lui, ma bensì dalla giustizia, e del zelo che la santità sua deve avere per l' immunità delle persone e delle cose sagre. In ordine poi agli altri ecclesiastici, questi nascono bensì sudditi del re; ma subito che ricevono qualche ordine dalla chiesa, *vengono ad essere esenti da ogni potestà laica, a diventar soggetti unicamente alla sede apostolica ed alla medesima chiesa*: onde la dottrina sopra simil punto del padre la Chaise e del signor di Croissi, come erronea, viene ad essere disapprovata da sua santità, che vuole ch'è v. a. Illma. ne parli al re ne' termini medesimi, ne' quali le è stato di già ordinato, con dire alla maestà sua, che non meno per il paterno e tenero affetto con cui rimiri la sua real persona, che per il debito preciso nel quale sua beatitudine si vede posta, crede di dover fare avvertire sua maestà di quelle cose che pongono in pericolo la sua salute eterna.

NOTE Q, PAGE 138.

Beatissime Pater, cum, in hac tandem exultantis ecclesiae felicitate, juges christiani omnes paternae providentiae fructus precipiant, facilemque in sinum paternae beneficentiae vestrae aditum experiantur, nihil accedere molestius mihi potuit, quam quod eo etiamnum loco res nostrae sint ut aditus in gratiam sanctitatis vestrae mihi hactenus interclusus quodammodo videatur. Cujus quidem rei cum eam fuisse rationem perceperim quod ego cleri Gallicani comitiis anno 1682 habitis interfuerim, idcirco, ad pedes beatitudinis vestrae provolutus, profiteor et declaro me vehementer quidem et supra omne id quod dici potest ex corde dolere de rebus gestis in comitiis praedictis, quae sanctitati vestrae ejusque antecessoribus summopere displicuerunt. Ac proinde quidquid in iisdem comitiis circa ecclesiasticam potestatem et pontificiam auctoritatem decretum censeri potuit, pro non decreto habeo et habendum esse declaro. Praeterea pro non deliberato habeo illud quod in praesudicium jurium ecclesiarum deliberatum censeri potuit: mens nempe mea non fuit quidquam decernere et ecclesiis praedictis praesudicium inferre; promptas sane in insigne profundissimi obsequii quod sanctitati vestrae profiteor et demissae reverentiae pignus ita me gerere, ut de debita mea quam ad extremum vitae meae spiritum sanctitati vestrae impensissime praestabo obedientia, et de nostro pro tuendis ecclesiarum juribus zelo, nihil unquam possit desiderari. His itaque perlectis meis litteris, spero et sanctitatem vestram humillime obtestor ut me in gratiam benevolentiamque tandem suam tandem receptum, ecclesiae N. ad quam rex noster chrms. me nominavit, praeficere non dedignetur, quod maturius animarum saluti et christianae religionis utilitati ipsiusque ecclesiae N. juribus et dignitati, ut sincere sanctitati vestrae profiteor, studium omne meum impendam. Interim beatitudini vestrae, tanquam acti. apostolorum principis successori, Christi Domini vicario, totius

militantis ecclesiæ capiti veram et sinceram obedientiam quam jam promisi iterum promitto, voveo et juro, ac multos et felices annos pro bono totius ecclesiæ precor; sanctitatis vestræ.

Humillimus, obsequens. et devotissimus
filius et servus.

Datum Lutetiæ, die 14 sept. 1693.

NOTE R, PAGE 141.

Oratio. Deus, in te sperantium fortitudo, qui beatum Gregorium, confessorem tuum atque pontificem, pro tuendâ ecclesiæ libertate virtute constantiæ roborasti, da nobis, ejus exemplo et intercessionem, omnia nobis adversantia fortiter superare. Per Dominum &c.

In secundo nocturno, Lectio IV. GREGORIUS, papa septimas, antea Hildebrandus, Soanæ in Etruriâ natus, doctrinâ, sanctitate, omnique virtutum genere cumprimis nobilis, mirificè universam Dei illustravit ecclesiam. Cùm parvulus ad fabri ligna edolantis pedes, jam litterarum inscius, luderet, ex rejectis tamen segmentis illa Davidici elementa oraculi, *Dominabitur d. mari usque ad mare*, casu formasse narratur, manum pueri dictante numine, quò significaretur ejus fore amplissimam in mundo auctoritatem. Romam deindè profectus, sub protectione sancti Petri educatus est. Juvenis ecclesiæ libertatem à laïcis oppressam, ac depravatos ecclesiasticorum mores, vehementius dolens, in Cluniacensi monasterio, ubi sub regulâ sancti Benedicti austeritatis viâ observantia eo tempore maxime vigeat, monachi habitum induens, tanto pietatis ardore divinæ majestati deserviebat, ut à sanctis ejusdem cœnobii patribus prior sit electus. Sed, divinâ Providentiâ majora de eo disponente in salutem plurimorum, Cluniaco eductus Hildebrandus, abbas primò monasterii Sancti-Pauli extra muros

Urbis electus, ac postmodum Romanæ ecclesiæ cardinalis creatus, sub summis pontificibus Leone nono, Victore secundo, Stephano nono, Nicolao secundo et Alexandro secundo, præcipuis muneribus et largitionibus perfunctus est, sanctissimi et purissimi consilii vir à beato Petro Damiano nuncupatus. A Victore papâ secundo legatus à latere in Galliam missus, Lugduni episcopum simoniacâ labe infectum ad sui criminis confessionem miraculo adegit. Berengarium in concilio Turonensi ad iteratam hæresis abjuracionem compulit. Cadalo quoque schisma suâ virtute compressit.

Lectio V. Mortuo Alexandro II, invitus et mœrens unanimi omnium consensu, decimo kalendas maii, anno Christi millesimo septuagesimo-tertio, summus pontifex electus, sicut sol effulsit in domo Dei : nam, potens opere et sermone, ecclesiasticæ disciplinæ reparandæ, fidei propagandæ, libertati ecclesiæ restituendæ, extirpandis erroribus et corruptelis, tanto studio incubuit, ut ex apostolorum ætate nullus pontificum fuisse tradatur, qui majores pro ecclesiâ Dei labores molestiasque pertulerit, aut pro ejus libertate acrius pugnaverit. Aliquot provincias à simoniacâ labe expurgavit. Contra Henrici imperatoris impios conatus fortis, per omnia athleta impavidus permansit, seque pro muro domûs Israël ponere non timuit, ac eundem Henricum, in profundum malorum prolapsum, fidelium communione, regnoque privavit, atque subditos populos fide ei datâ liberavit.

Lectio VI. Dum missarum solemnia peragorit, visa viris piis columba è cœlo delapsa, humero ejus dextro insidens, aliis extensis caput ejus velare, quo significatum est, Spiritûs sancti afflatu, non humanæ prudentiæ rationibus, ipsum duci in ecclesiæ regimine. Cùm ab iniqui Henrici exercitu Romæ gravi obsidione premeretur, excitatum ab hostibus incendium signo crucis extinxit. De ejus manu tandem à Roberto Guischaro duce Northmanno ereptus, Cassinum se contulit, atque inde Salernum, ad dedicandam ecclesiam sancti Matthæi apostoli, contendit. Cùm aliquandò in eâ civitate sermonem habuisset

ad populum, seruminis confectus in morbum incidit, quo se interitum præcivit. Postrema morientis Gregorii verba fuere: *Dilexi justitiam, et odii iniquitatem; propterea moriar in exilio.* Innumerabilia sunt, quæ vel fortiter sustinuit, vel multis coactis in Urbe synodis sapienter constituit. Vir verè sanctus, criminum vindex, et acerrimus ecclesiæ defensor. Exactis itaque in pontificatu annis duodecim, migravit in cælum, anno salutis millesimo octogesimo-quinto, pluribus in vitâ et post mortem miraculis clarus, ejusque sacram corpus in cathedrali basilicâ Salernitanâ est honorificè conditum.

NOTE S, PAGE 142.

Venerabiles Fratres, etsi universo christiano populo comperit jam sit, res sacras et ecclesiasticas in florentissimo Gallie regno, quod in visceribus gerimus charitatis, eò pervenisse, ut omnes qui recto sunt corde, acerbè doleant, profusique lacrymis ingemiscant, secularem magistratum potestatem manus in arcam Domini injecisse; ea tamen quæ postremis hæc temporibus contigerunt, novâ semper gravaminum accessione, vobis ex hoc loco, venerabiles fratres, aperienda judicavimus, eo non solâ fine, ut, communicatâ tribulatione, jungamus orationem, sed etiam ut in causâ, quantumvis deploratâ, irritentur et rescindantur cingula ab eorundem magistratum incompetenti auctoritate profecta, quæque divino detrahunt honori, ecclesiæ universæ gravissimum vulnus infligunt, sedisque apostolicæ jura et majestatem apertè contemnunt. Ex quâ die contra societatem Jesu exarsit ignis in Galliâ, et in circuitu ejus tempestas valida, cruciarunt nos intimè quæ, tum in urbe principe, tum alibi, prodierunt decreta, seu, ut alunt, arresta, edita nunc ab uno, nunc ab altero ejusdem regni senatu, veteri in eandem societatem odio percito, et iniquam occasionem temporis à diutino bello interturbati aptè aucupante. Sed eo potissimum nomine acerbis dola-

imus, quòd hæc molimina à divini honoris dispendio, à totius ecclesiæ sedisque apostolicæ injuriâ ullo modo disjungi aut separari posse non videbantur.

Levavimus primùm oculos nostros in montem, undè opportuna ecclesiæ veniret auxilium, justisque adacti rationibus, novimus positam in silentio et spe fortitudinem nostram. Deindè, ne credito nobis ex alto apostolico muneri deesse videremur, carissimi in Christo filii nostri Ludovici Galliarum regis christianissimi auctoritatem, et avitam pietatem, tot nominibus de re catholicâ promeritam, sedique apostolicæ probatam, semel ac iterùm imploravimus, compescendæ eorundem magistratuum licentiæ longè opportunam. Præterea, ad implendas uberius tum charitatis, tum quoque vigilantie nostræ partes, per venerabilem fratrem Petrum archiepiscopum Colossensem, nostrum et apostolicæ sedis in Galliâ nuncium, eos compellare non omisimus, quid apud christianissimum regem claro eminent dignitatis et auctoritatis loco. In aliquam insuper medelæ spem taciti erigebamur, oculos conjicientes in venerabiles fratres Gallicanæ ecclesiæ episcopos, tuendî divini honoris zelo incensos : compertum nobis erat quòd ipsi, superiore non longè tempore usi libertate in episcopali inauguratione sibi divinitus traditâ, et assumptis armis justitiæ, quod est verbum Dei, reclamant, præstolantes à piissimo rege opem ad frangendos eorundem magistratuum conatus, divinis et ecclesiasticis institutis injuriosos ; motisque subindè turbis contra societatem Jesu, plerique eorum, requirente rege, alumnos ejusdem ab omni cùm morum, tum doctrinæ labe purgarunt.

Verùm, quamvis dubitare non possimus quin in regio animo constans semper et egregia eluxerit tuendæ religionis restituendæque paci voluntas, nulla tamen, Deo sic permittente, iniri potuit ratio quâ, in tanto contentionum aestu, in tantâ rerum perturbatione, gliscenti in diem malo esset consultum.

Satis itaque vobis, venerabiles fratres, explicare non possumus, quo tacti fuerimus dolore cordis intrinsecus, quoque horrore

perfusi, cùm, perlatis ad nos eorumdem magistratum edictis, uno primùm, mox altero loco editis, vidimus gentes ingressas sanctuarium Domini, quibus ille præceperat ne intrarent in ecclesiam suam.

Quinam sunt fines à Deo positi, quos in hoc perturbatæ reipublicæ statu carnales hujus seculi filii non sint prætergressi? Doctrinæ magisterium usurpant, pastoribus Israël, custodientibus vigilias super grege, unicè concreditum, divino non audito oraculo: *Labia sacerdotis custodient scientiam, et legem requirunt ex ore ejus.* Traducitur et improbatur clericorum regularium societatis Jesu pium et ecclesiæ inserviens institutum, ab apostolicâ sede jamdiù probatum; Romanorum pontificum, et ipsius Tridentinæ synodi, in ævum mansuram laudem assecutum; cujus auctorem et parentem inter cœlites veneramur; quod professi sunt in terris illustres filii vel eodem altarium honore donati, vel pro re catholicâ et salute proximorum tot defuncti laboribus, ut ecclesiæ, et apostolico huic collegio, præclaro sint ornamento. Probrorsa quæque inuritur nota regulæ ejusdem societatis, tanquam à divinis et humanis legibus abhorrenti; proscribitur, et vindicibus flammis comburitur. Demùm (quod horret animus dicere) ejusdem societatis asseclæ, qui præfatæ regulæ se devovère, et ante aras provoluti, solemniter interpositâ sacramenti religione, omnipotentem Deum in promissionis suæ testem invocant, ab hac promissione solvuntur; et execrabili et hactenus inaudito exemplo, per acerbam pœnarum interminationem prohibentur ne reddant Altissimo vota quæ eorum labia distinxerunt. Immò hanc eandem regulam, quam magistratus divino humanoque juri contrariam dicunt, ejurare compelluntur. Quid plura? Potestatem ipsam Jesu-Christi in terris vicario unicè tributam sibi temerè arrogantes, totius societatis compagem in Gallico regno dissolvunt. Bona illius per singularem immunitatis contemptum publicantur: alumni novam inire coguntur vivendi formam, à laïco magistratu propositam; habitu et nomine exuntur, et æqualium etiam congressu prohibentur:

omni: deiciuntur spe vel beneficii ecclesiastici vel temporali-
cujusque officii obtinendi, nisi prius inter alia jurejurando
promittant tueri ac propugnare famigeratas et orbi universo
notissimas quatuor propositiones contentas in declaratione de
potestate ecclesiastica, edita in comitiis cleri Gallicani anni
millesimi sexcentessimi octuagesimi-secundi, quas felicitis recor-
dationis Alexander P. P. octavus, prædecessor noster, per suas
in formâ brevis expeditas litteras improbavit et abolevit.

Tot vulnera ecclesiæ universæ et apostolicæ sedis auctoritati
acutissimè inflicta nos ipsos, venerabiles fratres, acerbissimo
doloris sensu diu nocturne percellunt: tristamur, omnia eccle-
sia jura susdeque pessumdari et everti ab effreni præ-
fatorum magistratuum arrogantia, qui *volumt* (ut aiebat Au-
gustinus) *levare aquam super oleum, ponere sub tenebris lucem,*
super calum terram collocare. Sed in hac ipsa tribulatione,
quæ invenit nos nimis, nemo sit qui putet inertem nos dolore
torpescere.

Juriam ecclesiasticorum vindices et assertores in terris à
Domino constituti, probè intelligimus, quam primùm villicati-
onis nostræ districtissimam rationem nos esse reddituros. Ve-
remur, si desides simus, ne in judicio, quod fiet durissimum
his qui præsumunt, propheticum nobis exprobrete oraculum:
Non ascendistis ex adverso, neque opposuistis murum pro domo
Israël; aut terribilius illud; Dispersi sunt greges mei, et non erat
qui requireret.

Primùm itaque in singultu et lacrymis opem imploravimus à
Deo, qui sedet super thronum et judicat justitiam; deindè,
sedem hanc conscensi, vos advocavimus, venerabiles fratres,
ut in conspectu vestro, tanquam vallati auxilio pugnatorum,
quæ hucusque perperam acta sunt, tradita nobis divinitus
potestate rescinderentur et abolerentur. Inhærentes ergò Ro-
manorum pontificum prædecessorum nostrorum vestigiis,
eorumque exemplo sectantes, gesta ab iisdem magistratibus
adversus religionem, universam ecclesiam, sanctam hanc
apostolicam sedem, et pontificias constitutiones, damnamus et

seprobanus. Insuper omnia et singula mandata, arrepta, decreta, declarationes et edicta, à laïca magistratuum potestate in regno Galliae quomodolibet et ubilibet edita, occasione extinguendæ ibidem dissolvendæque societatis Jesu, quocumque et qualiacumque ea sint ab incompetenti auctoritate prolata, et clericorum regularium eorundem institutum, personas, bona, prerogativas, immunitates quovis modo attingentia, præ oculis habentes, universalis ecclesiæ et sanctiora sedis apostolicæ jura lædencia, immunitati et libertati ecclesiasticæ prejudicialia, cum omnibus et singulis quandocumque et quomodocumque indè secutis et quocumque tempore in posterum foras secuturis, necnon cætera quæcumque quæ per alios regni magistratus pari modo attentari subindè continget, ipso jure nulla, irrita, invalida, et legitimo effectu penitus vacua ab ipso initio fuisse et perpetuò fore, neminemque ad illorum, etiamsi juramento fidem obstrinxerit, observentiam teneri, consistorialis et sollemnis hujus nostri decreti vigore decernimus et declaramus; motuque proprio, scientiâ et potestatis nostræ plenitudine, eadem omnia et singula cassamus, irritamus, annullamus, improbamus et abolemus, deque eorum patenti nullitate coram Deo protestamur, daturi uberiora cassationis, irritationis, abolitionis et annulationis hujusmodi testimonia, ubi primùm nobis constiterit salubriter in Domino expedire.

Hæc vobis, venerabiles fratres, pro pastoralis nostræ servitutis afficio denunciavimus, ne, die Domini appropinquante, graviter ab illo judicemur. Intereâ unâ simul omnipotentem Deum et beatos apostolos Petrum et Paulum, qui sacerdotium et regnum vident lacrymari, rogemus et obtestamur, ut saniora consilia mentibus hominum inspirent, utque, sedatâ tandem procellâ feri maris, suas despumante confusiones, optata tranquillitas ecclesiæ restituatur.

Suprascriptam allocutionem in consistorio nostro secreto habito die 3 septembris anni 1764, prolatam à nobis fuisse testamur.

CLEMENS P. P. XIII.

NOTE T, PAGE 154.

Neque silentio prætereunda insignis ea fraudis plena synodi temeritas, quæ pridem improbatam ab apostolicâ sede conventûs Gallicani declarationem an. 1682, ausa sit non amplissimis modò laudibus exornare, sed, quò majorem illi auctoritatem conciliaret, eam in decretum *de fide* inscriptum insidiosè includere, articulos in illâ contentos palàm adoptare, et quæ sparsim per hoc ipsum decretum tradita sunt, horum articulorum publicâ et solemni professione obsignare. Quo sanè non solùm gravior longè se nobis offert de synodo quàm prædecessoribus nostris fuerit de comittis illis expostulandi ratio, sed et ipsimet Gallicanæ ecclesiæ non levis injuriâ irrogatur, quam dignam synodus existimaverit, cujus auctoritas in patrocinium vocaretur errorum quibus illud est contaminatum decretum.

Quamobrem quæ acta conventûs Gallicani, mox ut prodierunt, prædecessor noster ven. Innocentius XI per litteras in formâ brevis die 11 aprilis an. 1682, post autem expressius Alexander VIII. constitit. *Inter multiplices*, die 4 augusti an. 1690, pro apostolici sui muneris ratione, improbarunt, resciderunt, nulla et irrita declaraverunt; multò fortius exigit à nobis pastoralis sollicitudo recentem horum factam in synodo tot vitis affectam adoptionem, velut temerariam, scandalosam, ac præsertim, post edita prædecessorum nostrorum decreta, huic apostolicæ sedi summopere injuriosam, reprobare ac damnare, prout eam præsentî hâc nostrâ constitutione reprobamus et damnamus, ac pro reprobatâ et damnatâ haberi volumus.

NOTE V, PAGE 158.

This Pragmatic is translated in a great measure in our first volume, pages 190, 191; but here are the words;

“ Ludovicus, Dei gratiâ Francorum rex, ad perpetuam rei memoriam. Pro salubri ac tranquillo et statu ecclesiæ regni nostri, necnon pro divini cultûs augmento et Christi fidelium animarum salute, utque gratiam et auxilium omnipotentis Dei, cujus soli ditioni atque protectioni regnum nostrum semper subjectum extitit et nunc esse volumus, consequi valeamus; quæ sequuntur, hoc edicto consultissimo in perpetuum valituro, statuimus et ordinamus :

“ 1. Ut ecclesiarum regni nostri prælati, patroni, et beneficiorum collatores ordinarii, jus suum plenarium habeant; et unicuique jurisdictio debitè servetur.

“ 2. *Item.* Ecclesiæ cathedrales, et aliæ regni nostri, liberas electiones et earum effectum integraliter habeant.

“ 3. *Item.* Simonie crimen pestiferum ecclesiam labefactans, à regno nostro penitus elimandum volumus et jubemus.

“ 4. *Item.* Promotiones, collationes, provisiones et dispositiones prælaturarum, dignitatum vel aliorum quorumcumque beneficiorum et officiorum ecclesiasticorum regni nostri, secundum dispositionem, ordinationem, determinationem juris communis, sacrorum conciliorum ecclesiæ Dei, atque institutorum antiquorum sanctorum patrum, fieri volumus pariter et ordinamus.

“ 5. *Item.* Exactiones et onera gravissima pecuniarum, per curiam Romanam ecclesiæ regni nostri impositas vel impositas, quibus regnum nostrum miserabiliter depauperatum extitit, sive etiam imponendas aut imponenda, levare aut colligi nullatenus volumus, nisi duntaxat pro rationabili, piâ et urgentissimâ causâ, inevitabili necessitate, et de spontaneo et expresso consensu nostro, et ipsius ecclesiæ regni nostri.

“ 6. *Item.* Libertates, franchisias, immunitates, prærogativas jura et privilegia per inclitæ recordationis Francorum reges prædecessores nostros, et successive per nos, ecclesiis, monasteriis atque locis piis, religiosis, necnon personis ecclesiasticis regni nostri, concessas et concessa, innovamus, laudamus, approbamus et confirmamus per præsentem.

“ Harum tenore, universis justiciariis, officiariis et subditis nostris, ac loca tenentibus, præsentibus et futuris, et eorum cuilibet, prout ad eum pertinuerit, districtè præcipiendo mandamus, quatenus omnia et singula prædicta diligenter et attentè servant, teneant et custodiant, atque servari, et teneri, et custodiri inviolabiliter faciant, nec aliquid in contrarium quovis modo faciant vel attentent, seu fieri vel attentari permittant; transgressores aut contrafacientes juxta cujusque exigentiam tali poenâ plectendo, quòd cæteris deinceps cedat in exemplum. In quorum omnium et singulorum testimonium, præsentes litteras sigilli nostri appensione muniri fecimus. Datum Parisius, anno Domini m^{cc}clxviii, mense martio.”

NOTE W, PAGE 162.

In reply to the letter *Scire te volumus*, which we have herein transcribed, Philip-the-Fair addressed to the very holy father the following note :

“ Philippus, Dei gratiâ Francorum Rex. Bonifacio se gerenti pro summo pontifice, salutem modicam seu nullam. Sciat tua maxima fatuitas in temporalibus nos alicui non subesse; ecclesiarum ac præbendarum vacantium collationem ad nos jure regio pertinere, fructus earum nostros facere; collationes à nobis factas et faciendas fore validas in præteritum et futurum, et earum possessores contra omnes viriliter nos tueri: secus autem credentes, fatuos et dementes reputamus. Datum Parisius, &c.”

“ Philippe, par la grâce de Dieu, roi des François, à Boniface, se disant souverain pontife, peu ou point de salut.
“ Que votre souveraine fatuité sache que, dans les choses tem-

“ porelles, nous ne sommes soumis à personne ; que la collation
 “ des évêchés et des prébendes nous appartient par le droit de
 “ notre couronne ; que nous pouvons nous en attribuer les
 “ fruits durant la vacance ; que les collations par nous faites
 “ et à faire ont été, sont et seront à jamais valides, et que nous
 “ en maintiendrons la possession envers et contre tous : ceux
 “ qui nient ces maximes, nous les tenons pour sots et fous.
 “ Donné à Paris, &c.”

NOTE X., PAGE 162.

Quòd autem papa sic scribens, nitens et intendens; sit et debeat hæreticus reputari, per rationes infrascriptas potest manifestè probari, nisi respiscere et suum errorem corrigere palàm et publicè voluerit, et regi christianissimo ecclesiæ defensori satisfacere super tantâ injuriâ, per totum suum regnum et ferè per universum orbem divulgatâ cum scandalo maximo et infamiâ populi christiani, præsertim regni Franciæ, quem ferè totum, et pro certo cunctos ejusdem regis amicos hæreticos falsò reputare præsumpsit, tantam scienter injuriam faciendo, prout ex sequentibus apparebit. Circa quorum probationem circuiendo materiam procedere oportet, cum contra certum fundamentum et rationem argui non possit, eò quòd papa nullam causam nullamque rationem sui dicti protendit, nisi quòd innuit hoc sibi taliter complacere.....

Nonne papa concupiscit, et rapit, et aufert de novo scienter summam regis libertatem, quæ semper fuit et est, nulli subesse, et toti regno imperare sine reprehensionis humanæ timore ! Præterea negari non potest quin semper, post distincta primò rerum dominia, invasio rerum occupatarum, ab aliis maximè per tempus à quo memoria hominum non existit possessorum et præscriptarum, fuerit et est peccatum mortale. Rex autem supremam jurisdictionem et libertatem suorum temporalium ultra mille annos possedit. Item idem rex à tem-

pore Karoli Magni, sui, de cujus genere descendit, ut in canone legitur, antecessoris, possedit.....

Et forté expeditet Romanos pontifices fore pauperes sicut, olim fuerunt, ut sancti essent; bonum esset eis cum paupertate cælum intrare, non cum superbiâ, elatione, concupiscentiâ et rapinâ sequi hujusmodi actores, qui sicut scriptum est, à fructibus eorum cognoscetis eos.

NOTE Y, Page 163.

Joannes, Dei gratiâ Francorum rex, baillivo Auvergniæ, vel ejus locum tenenti, salutem. Referente in curiâ nostrâ procuratore nostro, quòd dilectus et fidelis noster episcopus Claramenten. pretextu redhibentiarum quas in jucundo adventu suo à clericis conjugatis et non conjugatis in suâ diœcesi Claramenten. exigere consuevit, et sui prædecessores consueverunt hactenus levare, ut dicebant ipse episcopus seu ejus officarii, vel officialia, sententias excommunicationis vel interdicti sive cessûs, et alias compulsionis, in villâ nostrâ Montisferrandi, et contra habitantes in eâdem protulerunt ac etiam promulgarunt, licet alicui non liceat in domanio nostro eponere aliquod idterdictum sive cessum, nec etiam aliqui de habitatoribus prædictis aliquam redhibentiam ex causâ prædictâ persolvunt, prout fertur, in nostri et jurisdictionis nostræ contemptum, diotorumque habitatorum damnum et præjudicium, si sit ita. Quocirca vobis præcipiendo mandamus, quatenus, si vocatis vocandis, constiterit ita esse, dictum episcopum et ejus vicarium et officialem ad desistendum de interdicto sive cessu, prædictis viis et juris remediis, celeriter compellatis. Si verò dicti episcopus seu vicarius aliquid contra habitatores prædictos voluerit occasione redhibentiarum prædictarum experiri, auditis prædictis partibus, eisdem exhibeant super iis bonum breve justitiæ complementum. Sicque ob hoc nobis aut dictæ curiæ nostræ querela minime referatur. Datum Parisius, in parla-

mento nostro, die 23 Novembris, anno Dom. 1350, sub sigillo Castelleti nostri Parisiensis in absentia majoris. Per cameram, ROGEMONT. *Extrait du registre intitulé Pictavis fol. 75.*

NOTE Z, PAGE 163.

Procurator noster generalis et procurator cariss. patruī nostri ducis Burgundiæ, actores contra dilectum et fidelem consiliarium nostrum episcopum Cabilonen. Pro parte dictorum actorum propositum existit, quòd cùm dictus patruus noster ad causam sui ducatūs Burgundiæ, primus ac decanus parium Franciæ, tanquam principalior et antiquior existat, ac ipsum ducatum insignem nobiliter in parîā ac in feudo et ressorto à nobis et coronā Franciæ teneat, nobisque vassallos nostros præsertim tantos et tam nobiles, prout pares existunt, et potissimè in his quæ jurisdictionem temporalem concernunt, tueri ac defendero, necnon cessare seu revocari facere omnes interpresas, offensiones et *abusus*, per jurisdictionem spiritualem in jurisdictionis temporalis præjudiciū factos seu factas, pertineat, et non solūm pares Franciæ à præmissis præservare teneamur, imò etiam omnes et singulos vassallos seu valvassores nostros, nobiles et burgenses :

Cùm nos fons omnimodæ jurisdictionis temporalis esse dignoscāmur, pro regimine vero et politiā reipubl. Deus summus collator duo brachia, videlicet sacerdotium et imperium, ac duas jurisdictiones ab invicem separatas, distinctas et divisas ab ipso Deo cœquali procedentes, quibus principaliter hic mundus, regitur, desuper contulerit et ordinaverit, nostraque jurisdictio temporalis in nullo jurisdictioni spirituali subeiat, cùm in terris superiorem non recognoscāmus; quare non immeritò Dei vicarius, quoad jurisdictionem temporalem, appellari possumus et debemus, juraque nostra regia nobis ad causam nostræ superioritatis competentia, præscribi seu minui, vel aliter acquiri, etiam per quodcumque temporis curri-

culum aboleri, vel à nobis abdicari non possunt. 14 augusti anni 1385.

NOTE A A, PAGE 198.

Deux ans avant la Saint-Barthélemi, la cour de Rome avait fait brûler Aonius Palearius, après avoir extorqué à cet infortuné littérateur une déclaration par laquelle il reconnaissait dans le souverain pontife le droit d'ordonner le supplice des hérétiques, et même le droit de les tuer de sa propre main. Palearius a écrit de la sienne cette déclaration, qui existe aux archives de l'Empire, et dont voici le texte :

Credo et confiteor quidquid sacrum concilium Tridentinum definivit et quidquid sancta ecclesia catholica Romana credit et confitetur ; insuper particulatim confiteor hæc :

1. Quòd potestas sæcularis potest licitè punire et occidere hæreticos ;

2. Quòd ecclesia potest tradere potestati sæculari licitè hæreticos occidendos ;

3. Quòd summus pontifex Romanus potest instituere ministros qui occidant hæreticos ;

5. Quòd ipsemet summus pontifex in casu aliquo potest ETIAM PER SE hæreticos occidere, ut legimus de Samuele et Petro ;

6. Quòd per peccatum mortale non amittitur potestas, sed summus pontifex etiam in peccato existens est verè summus pontifex, et habet summi pontificis potestatem.

Ego Aonius Palearius Verulanus fateor quòd in his fuimus concordés, et ita credo ut sunt hæc scripta et subscripta meâ manu.

NOTE B B, PAGE 210.

Placuit tandem patri misericordiarum Deo supplicum preces audire, fecitque ut illustris vir.....illud animo conciperet effi-

cæretque (ex quo ei summa præter omnia celebritas apud omnem posteritatem erit futura) nimirum ut tot millibus millium hominum quos continet Gallia, avita majorum religio atque una cum eâ vera ac solidæ felicitatis ipsorum fundamenta restituerentur. Nos hic, ut videtis, primum Reipublicæ Gallicanæ Consulem indicamus, NAPOLEONEM BONAPARTE. Sapienter ille, &c.....*Allocutio habita die 24 maii 1802.*

Desideria et postulationes ejus viri cujus operæ ut studiis, *post Deum*, acceptum referimus, non modò fuerentes illos procellarum impetus ab ecclesiâ aversos, sed etiam catholicam religionem in tam latè dominante popule restitutam, &c.....*Allocutio habita die 17 januarii 1803.*

Ea quæ ad catholicæ religionis bonum isthuc à te tantâ cum gloriâ facta sunt.....*Lettre du pape au premier Consul, 22 janvier 1803.*

Cùm enim tanto studio adfueris nobis, cùm de religione in Galliâ restituendâ ejusque securitate actum fuit, ita ut tibi, *secundum Deum*, acceptum referre debeamus quidquid ibidemad religionis bonum constitutum fuit. *Lettre du 4 juin 1803.*

NOTE C C, PAGE 211.

Par des lettres patentes de Louis XI, de 1475, il est ordonné que toutes bulles, lettres et autres choses venant de Rome, seront visitées par les officiers des lieux ex frontières, pour voir s'il n'y a rien contre les droits du royaume et libertés de l'église Gallicane. *Voyez ci-dessus, p. 262, 263, 264.*

François I, en parlant de ce droit, disait qu'il concernait grandement l'autorité, puissance et prééminence du roi.

Le pape Léon X, par divers brefs, dont le dernier est signé du cardinal Sadolet, a prié le parlement de Provence de vouloir bien autoriser l'exécution de ses resorits : *Hortamur in Domino ut debita executioni demandare permittatis.*

Bulles ou lettres apostoliques de citations exécutoires, fulminatoires ou autres, ne s'exécutent en France sans *paveatis* du roi ou de ses officiers.—On a toujours observé soigneusement que toutes bulles et expéditions venant de la cour de Rome fussent visitées, pour voir si en icelles y avait aucune chose qui portât préjudice, en quelque manière que ce fût, aux droits et libertés de l'église Gallicane et à l'autorité du roi. *Pithou, Libertés de l'église Gallicane*, art. 44 et 77.

Les bulles ne sont à considérer quand on n'a pas obtenu des lettres-patentes du roi, pour en requérir la vérification au parlement. *Bignon, Reg. du parlement*, 2 janvier 1624.

Les rescrits émanés du pape ne peuvent obliger les sujets du roi, que lorsqu'ils sont revêtus de son pouvoir ou de celui qu'il accorde aux compagnies souveraines de son royaume. *Œuvres de d'Aguesseau*, t. II, p. 604.

Quoique nos rois n'entreprennent point de décider les questions de foi, dont ils laissent le jugement aux évêques, on ne peut publier aucune bulle dogmatique sans lettres-patentes vérifiées au parlement, parce que les bulles dogmatiques peuvent contenir des clauses contraires aux droits de la couronne et de l'église de France. *D'Hericourt, Lois ecclésiastiques de France*, t. I, chap. xv, no. 8.

NOTE D D, Page 212.

Art. 11. Le pape n'envoie point en France de légat *à latere*sinon à la postulation du roi très-chrétien et de son consentement ; et le légat n'use de ses facultés qu'après avoir laissé promesse par écrit sous son seing, et juré par ses saints ordres, de n'user desdites facultés.....sinon tant et si longuement qu'il plaira au roi.....sans entreprendre ni faire chose préjudiciable aux saints décrets, conciles généraux, franchises, libertés et privilèges de l'église Gallicane.

12. Semblablement le légat d'Avignon...auparavant qu'user

de ses facultés en pays de l'obéissance et souveraineté du roi, fait pareil serment et baille semblable promesse par écrit, et notamment de n'entreprendre aucune chose sur la juridiction séculière, ni distraire les sujets, interdire ou excommunier les officiers du roi, ou faire chose contre les libertés de l'église Gallicane, édits, coutumes, statuts et privilèges du pays.

58. Le légat *d latere* ne peut députer vicaires ou subdélégués pour l'exercice de sa légation, sans le consentement exprès du roi.

59. Et si, ne peut user de la puissance de conférer les bénéfices de ce royaume, quand il est en pays hors l'obéissance du roi.

60. Et à son partement, est tenu de laisser en France le registre des expéditions faites du temps de sa légation, &c.

NOTE E E, PAGE 214.

Discours VIII sur l'Histoire ecclésiastique, no. 4.

Tant y a qu'on peut dire avec vérité, pour ce regard, que nul monastère, église, collège, ou autre corps ecclésiastique, ne peut être exempté de son ordinaire pour se dire dépendre immédiatement du saint-siège, sans licence et permission du roi. *Pithou, Libertés de l'église Gallicane*, art. 71.

Les exemptions, disait Talon en 1670, sont contraires à la sainte liberté des canons de l'église.—*Voyez aussi Févret, Traité de l'abus*, l. iii, c. 1, no. 12, &c.

NOTE F F, PAGE 216.

Potentissimum Francorum Imperatorem, cui religionis..... in Galliâ reforescentis gloria debetur.....cujus nomen fines terrarum pervasit, et cujus operâ Deus usus est ut catholica religio in Galiis publicam rursus in lucem emergeret....At que

hic sine gratissimi animi sensu commemorare non possumus hilaritundinem illam, comitatem, benevolentiam, animique propensionem, quâ nos apostolicâ libertate desideria nostra expromentes audivit et nostras.....petitiones excepit.

NOTE G G, PAGE 216.

Il est devenu fort difficile de rencontrer quelqu'un qui daigne savoir encore en quoi consistaient ces erreurs; et il fallait avoir une bien forte envie d'en faire mention, pour en parler ainsi à propos de la cérémonie du couronnement de S. M.

NOTE H H, PAGE 217.

Formulam per venerabilem fratrem nostrum archiepiscopum Philippensem ei missam legit admisit, suâque manu signavit. Hâc ergo formulâ, quam reparando scandalo publicam in cognitionem deduci concupivit, declaravit se purè et simpliciter, omninòque ex animo, recipere et venerari constitutiones à sede apostolicâ factas, quibus Baii, Jansenii, Quesnellii, et illorum qui eos sectati sunt, errores proscribuntur, præsertim verò bullam dogmaticam *Auctor em fidei* quâ 85 propositiones damnantur, è synodo Pistoriensi quam ipse coegerat et publicari jussarat, excerptæ : has propterea propositiones omnes et singulas se reprobare et damnare iis qualificationibus iisque sensibus qui in præfatâ bullâ expressi sunt ; denique in sanctæ ecclesiæ catholicæ, apostolicæ, Romanæ, inque *omnimodâ subjectione* verâque obedientiâ nobis, nostrisque successoribus, tanquam in Petri cathedrâ sedentibus et Jesu-Christi vicariis, velle se vivere et mori.

NOTE I I, PAGE 218.

Par exemple, des imprécations contre la paix de Westphalie, *la disastrosa pace di Westfalia*; — *la pace di Westfalia segna un'epoca sventuratamente memorabile, &c.*

Par exemple aussi cette maxime, que le pape est, non le propriétaire, mais *l'administrateur suprême* de tous les biens ecclésiastiques; ce que le rédacteur de l'instruction prouve par des textes de Suarez et de Lessius, qu'il cite comme les *théologiens les plus accrédités*: *Questo è il sentimento de' più accreditati teologi.*

NOTE K K, PAGE 219.

Ma non solamente la chiesa ha procurato d' impedire che gli eretici non occupassero i beni ecclesiastici, ha inoltre stabilito, come pena del delitto dell' eresia, la confisca e perdita dei beni dagli eretici posseduti. Questa pena.....è decretata per rapporto ai beni de' privati nella decretale d'Innocenzo III. riportata nel capo *Vergentis*, x. *de Hæret.*; e per quel che riguarda i principati, feudi, è pure regola del diritto canonico nel cap. *Absolutos*, xvi. *de Hæreticis*, che sudditi di un principe manifestamente eretico rimangono assoluti da qualunque omaggio, fedeltà ed ossequio verso del medesimo; e niune che sia alcun poco versato nella storia può ignorare le sentenze di deposizione pronunciate dai pontefici e dai concilj contro de' principi ostinati nell' ersia. Se non che siamo ora pur troppo giunti in tempi così calamitosi e di tanta umiliazione per la sposa di Gesu-Cristo, che siccome a lei non è possibile usare, così neppure è spedito ricordare queste *sue santissime massime di giusto rigore* contro i nemici e i rebelli della fede. Ma se non può esercitare *il suo diritto* di deporre da loro principati e di dichiarare decaduti da loro beni gli eretici, potrebbe ella

mai positivamente permettere per aggiungere loro nuovi principati e nuovi beni, d' esserne spogliata elle stessa ?.....Quale occasione di diridere la chiesa non si darebbe agli eretici medesimi ed agl' increduli, i quali insultando al di lei dolore, direbbero esservi trovati finalmente i mezzi, onde farla *divenir tollerante* ? &c.

NOTE L L, PAGE 223.

Una transazione così fatta, proposta da un vescovo cattolico a un regio ministro sopra un' oggetto sì sacro, considerata ne' suoi principj, nelle sue conseguenza e nel suo complesso, conduce direttamente allo scopo che si sono prefissi i moderni settarj, di far sì che col fatto confessino i cattolici ed accordino, che confessi ed accordi il papa stesso, non che i vescovi, *que le pouvoir de gouverner les hommes est indivisible* (Beaufort, *Projet de réunion &c.*, Paris, 1806, p. 8).....Subito che si conceda da un vescovo cattolico in ordine ai matrimonj cattolici le pubblicazioni civili, i contratti civili, i divorzj civili, i giudicj civili prescritti da legge civili da legislatore cattolico in uno stato cattolico, si concede che abbia questi podestà in ordine ai sacramenti, in ordine alla disciplina ecclesiastica, e che possa alterare la forma ed i diritti, derogare ai canoni, violare la libertà ecclesiastica e perturbare le coscienze; e che abbia in conseguenza l' assoluto potere nelle cose e cause puramente ecclesiastiche, sommamente privilegiate ed essenzialmente dipendenti *d jure clavium*. Ch' è quanto dire che possa egli por mano all' incensiere, far prevalere le sue leggi alle leggi delle chiesa.....O bisognava dissimulare e tollerare un disordine che una forza irresistibile impone, o, volendo parlare ed entrar in materia, era necessario che il vescovo facesse conoscere al regio ministro, che le disposizioni del codice in ordine al matrimonio non potevano applicarsi ai matrimonj cattolici in paese cattolico.....Se si scorrono le storie delle nazioni, non si troverà esem-

pio che da un principe cattolico siasi mai imposto ai sudditi cattolici ne acconsentito che loro s' imponga l'obbligo di fare, rispetto ai matrimonj, le pubblicazioni nel *comune*, le congiunzioni nel *comune*, e di discotere della validità o nullità di tali congiunzioni avanti *il giudice del circondario*..... Avrebbe il vescovo avuto un largo campo per farsi strada a dimostrare al ministro regio che in un paese dove la religione cattolica è religione dello Stato, dominato da un principe cattolico, non si possano senza grande scandalo applicare ai cattolici le leggi risguardanti il matrimonio ne essigerne da essi l'osservanza; che sarebbe questo un attentato inaudito e una manifesta rivolta contro le leggi della chiesa, una novità inducente all'errore e allo schisma..... Che se poi inutili si rendessero queste rappresentanze pastorali, altro non rimarrebbe ai vescovi, che mettere nelle mani di Dio la causa sua e della sua chiesa, ed instruire il gregge alla loro cura commesso.....

1. Che non vi è matrimonio se non sia contratto in quelle forme che la chiesa ha stabilite per la sua validità; 2. che contratto una volta matrimonio secondo le forme dalla chiesa stabilite, non vi è podestà in terra che possa discioglierlo quanto al vincolo; 3. che resta questo indissolubile non ostante l'adulterio del conjuge o la molesta coabitazione; 4. che nel caso di dubbio matrimonio, alla solio chiesa appartiene giudicare sul merito, di modo che ogni altro giudizio di qualsivoglia altra podestà è giudizio incompetente, ed incapace ad autorizzare e render lecito il divorzio; 5. che non ostando al matrimonio alcun impedimento canonico, è questo rato e valido, e perciò indissolubile, qualunque sia l'impedimento che vi frapponga indebitamente la laica podestà senza il consenso e l'approvazione della chiesa universale o del supremo suo capo il Romano pontefice; 6. che al contrario è irritato e nullo qualsivoglia matrimonio, contratto con impedimento canonico dirimente abrogato dal sovrano per solo abuso di podestà; e pero doversi in coscienza considerar come nullo da ogni cattolico sino a che non sia rivalidato mediante la dispensa legittima

della chiesa, se pure l'impedimento che lo rende nullo sia capace di dispensa.

NOTE M M, PAGE 226.

Si attendamus ad leges civiles codicis Napoleonis quoad matrimonium, nulla obvenit difficultas, quia nihil mandant quod sit legibus Dei et ecclesiae contrarium, et consequenter quilibet eas servare tenetur.

NOTE N N, PAGE 226.

E non è un comando opposto alla legge di Dio e della chiesa, quello che si fa a tutti quanti i divorziati di non poter più fra di loro riunirsi, nel qual comando s' includono anche quelli che contro le leggi di Dio e della chiesa si fossero divorziati! Non è un comando contrario alle leggi di Dio e della chiesa, quello col quale s'inabilita l'uomo a prender moglie prima dei 18 anni compiti, e la donna prima dei 15 compiti, nel qual comando s' includono anche quelli che prima di tale età non avessero altro legittimo rimedio alla concupiscenza che il matrimonio e fossero perciò in coscienza obbligati a contrarlo! E non è contrario alle leggi di Dio e della chiesa il riservare al Governo le facoltà di dispensare dall'impedimento dirimente di secondo grado d'affinità misto col primo! E per dir tutto, non è un offender Dio e la chiesa il far leggi che sovvertono la discipline ecclesiastica in materia sì gelosa!

NOTE O O, PAGE 227.

Specialmente dopo che è stato nella legge evangelica innalzato alla dignità di sacramento, e reso perciò sacro e indepen-

dente da qualsivoglia legge profana.....Ed è tanto vero che il *valore* del matrimonio, specialmente nella legge evangelica, è indipendente da ogni contratto civile stabilito dalle leggi civili, che il concilio di Trento dichiarò irritò e nullo il matrimonio e in ragione di sacramento e in ragione di contratto sempre che si contraesse senza le solennità da esso prescritte: ciò che non avrebbe potuto fare, se il matrimonio includesse di sua natura due distinti contratti, come si asserisce, da due distinte potestà dipendenti, l'uno civile dipendente per la sua validità dalle leggi civili, l'altro religioso dipendente per il suo valore dalle leggi della chiesa.

NOTE P P, PAGE 229.

Il papa non è il semplice vescovo di Roma, come si è impropriamente asserito, ma il pastore insieme della chiesa universale, ed ha perciò il diritto di scegliere i ministri ed i cooperatori del suo apostolato fra tutte le nazioni dell' orbe.

NOTE Q Q, PAGE 229.

È noto ch' erano esse da un' epoca assai più remota in potere de' Romani pontifici per una libera dedizione dei popoli abbandonati dagli imperadori dell' Oriente; che occupato poscia dai Lombardi l' esarcato di Ravenna e la pentapoli che comprendeva tali provincie, Pippino illustre e pio genitore di Carlo Magno lo ritorse dalle loro mani e lo *restituì* con un atto di donazione al pontefice Stefano.

NOTE R R, PAGE 237.

Demum codceduntur sub eâ conditione, ut in exercitio cujuscumque ex commemoratis facultatibus expressè declaretis illas

È vobis concedi tamquam à sedis apostolicæ delegatis, quæ declaratio in ipso actûs tenore inserenda erit.

NOTE SS, PAGE 238.

Dans plusieurs diocèses, il s'est formé une secte de *catholiques purs*, qui exercent un culte clandestin, auquel assistent des prêtres qui, se dérochant à la surveillance des évêques, ne donnent au Gouvernement aucune garantie de leurs principes et de la morale qu'ils enseignent. *Rapport de LL. EE. les cardinaux Fesch, Maury, Caselli, des archevêques de Tours et de Malines, des évêques d'Evreux, de Trèves et de Nantes, le 5 mars 1811.*

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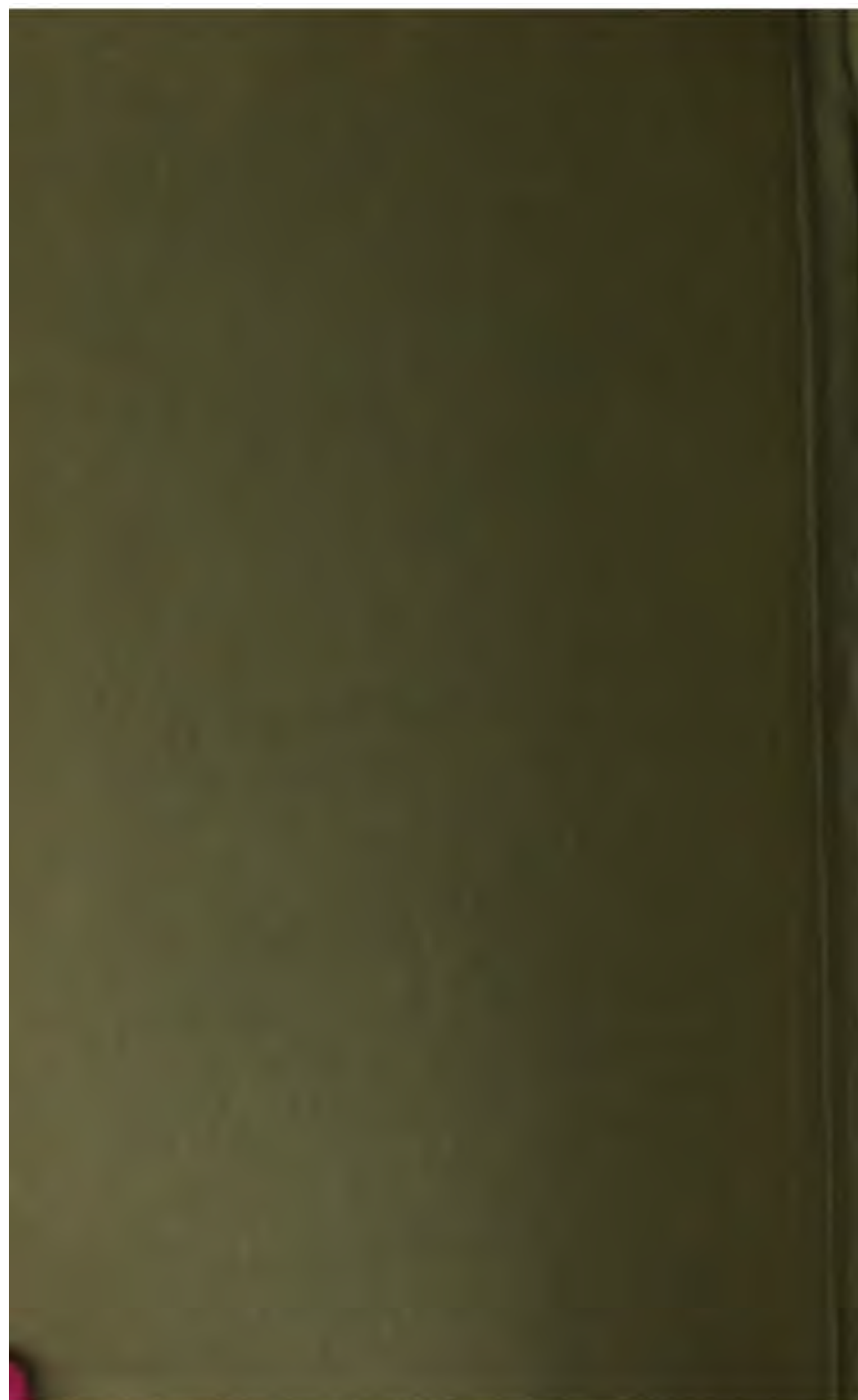
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